

D. Cleetus Vs. P. Ramakrishnan

D. Cleetus Vs. P. Ramakrishnan

SooperKanoon Citation : sooperkanoon.com/1111577

Court : Kerala State Consumer Disputes Redressal Commission SCDRC
Thiruvananthapuram

Decided On : Feb-25-2009

Judge : Justice Shri. K.R. Udayabhanu: President, Smt. Valsala Sarngadharan:
Member, Shri. M.K. Abdulla Sona: Member

Appeal No. : FA No. 222 of 2008

Appellant : D. Cleetus

Respondent : P. Ramakrishnan

Judgement :

JUSTICE SHRI. K.R. UDAYABHANU, PRESIDENT:

The appellant is the complainant in CC.105/2008 filed by him allegedly against the former counsel engaged by him. The CC was dismissed, as the complainant was continuously absent (as mentioned in the order).

The complainant/party appeared in person. According to him the copy of the version filed in the Forum was not sent to him. He has sought for condoning his absence before the Forum.

The counsel for the respondent has contended that there is no merit at all in the appeal and that the case is a fabricated and false one and that if any in case the matter is remitted back there should be an order to consider the preliminary

objection as to the maintainability.

In the circumstances and considering the fact that the appellant is a layman and party himself the order of the Forum dismissing the complaint for default is set aside. The matter is remitted back to the Forum. The Forum is directed to hear the preliminary objection of the opposite party and dispose of the objection on merits and then only proceed with the matter.

The matter is posted before the Forum on 8/4/2009.

The office is directed to dispatch the copy of this order to the Forum urgently.

SooperKanoon - India's Premier Online Legal Search - sooperkanoon.com