

**(2001) 12 NCDRC CK 0052**

**In the National Consumer Disputes Redressal Commission**

ALMIGHTY CONSTRUCTION

APPELLANT

Vs

GURUPUSHYA AMRUT CO-OPERATIVE HOUSING SOCIETY  
LIMITED

RESPONDENT

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**Date of Decision :** 10-12-2001

**Acts Referred:**

**Citation :** 2002 1 CPC 625 : 2002 1 CPR 165 : 2002 2 CPJ 93 : 2002 3 CLT 492

**Hon'ble Judges :** D.P.Wadhwa , J.K.Mehra , B.K.Taimni J.

**Final Decision :** Appeal dismisrred

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**Judgement**

1. MR. Justice D.P. Wadhwa, President-This appeal is directed against the order dated 24.10.2001 made in proceedings under Section 27 of the Consumer Protection Act, 1986. In the execution proceedings State Commission found that on account of non-compliance of its order dated 11th February, 2000 (communicated on 8.3.2000) by the appellants/opposite parties, non-bailable warrants were issued against them on 23.8.2001. Since the appellants did not appeal against the order dated 11.2.2000, it had become final. That order was made on a complaint filed by the respondent-complainant complaining deficiency in service by the appellants/opposite parties who were builders. In that order dated 11.2.2000 State Commission noticed that in spite of six notices having been served upon the appellants, they did not appear and the complaint was proceeded ex-parte. Various amounts totalling about Rs. 5,60,000/- were awarded to the complainant towards electricity bills, incomplete work etc.

2. BY the impugned order State Commission directed the appellants to jointly and severally deposit Rs. 1.00 lakh with the State Commission within two weeks from the date of order dated 24.10.2001 and the warrants issued against them were suspended till 21.11.2001. Instead of complying with the just order of the State Commission, appellants have come in appeal before this Commission. There is no infirmity in the impugned order of the State Commission for us to interfere in the matter. This appeal is, therefore, dismissed. Appeal dismissed.