

(1992) 03 NCDRC CK 0058

In the National Consumer Disputes Redressal Commission

K.S. YADAV

APPELLANT

Vs

UNISCANS And SONICS LTD

RESPONDENT

Date of Decision : 13-03-1992

Acts Referred:

Citation : 1992 3 CPJ 39 : 1994 1 CLT 261

Hon'ble Judges : V.Balakrishna Eradi , A.S.Vijayakar , Y.Krishan , B.S.Yadav J.

Advocate : S.K.Saxena , Sanjay Karol

Final Decision : Dismissed

Judgement

1. - WE are not inclined to adjudicate upon the merits of this petition for more than one reason. Firstly, the petitioner has already approached the MRTP Commission practically on identical grounds and it is while this matter has been pending consideration before the MRTP Commission that he has come up to the National Commission with this Original Petition. There cannot be simultaneous and concurrent adjudication of the identical issues by the MRTP Commission and this Commission. The petitioner opted to pursue the remedy by way of approaching the MRTP Commission and it is also open to him at his option to approach the Ordinary Civil Court claiming appropriate relief against the respondent on the basis of his alleged cause of action arising out of the contract of purchase of the Scanning machinery. On this limited ground specified above we dismiss this Original Petition reserving liberty to the petitioner to urge all his contentions before the MRTP Commission as well as before the Civil Court, in case he opts to go before the Civil Court. No costs. O.P. dismissed.