
(2003) 05 NCDRC CK 0064

In the National Consumer Disputes Redressal Commission

AJMER VIDYUT VITRAN NIGAM LTD.

APPELLANT

Vs

Sitaram

RESPONDENT

Date of Decision : 22-05-2003

Acts Referred:

Citation : 2004 2 CPJ 158

Hon'ble Judges : M.A.A.Khan , Ratan Prakash J.

Final Decision : Appeal dismissed

Judgement

1. -HEARD. This appeal is barred by limitation by 62 days. The explanation offered for this delay is that although the impugned order was made on 18.12.2002 and the appellant had applied for the issue of certified copy thereof on 30.12.2002 and received the same on that very day but due to the time consumed in observing official formalities the appeal could not be filed earlier to 24.3.2003. It has been mentioned in para 3 of the application that the entire record had been placed on 6.1.2003 before the concerned authorities but it was only on 9.3.2003 that the Counsel was directed to file an appeal in this matter. In our opinion the delay committed in filing the appeal has not been satisfactorily explained. The appeal is, therefore, liable to be dismissed on the ground of limitation. We order accordingly.

2. EVEN on merits we find no case for interference. The simple request of the respondent consumer was that his connection be transferred from rural feeder to urban feeder and in order to obtain the desired relief he had already deposited a sum of Rs. 92,000/- with the appellant. Since the appellant did not act in the matter, the respondent had to go to the Civil Court and therefrom to the Hon'ble High Court to get the desired relief. Although he had got the desired relief from the Hon'ble High Court but his money of Rs. 92,000/- had remained blocked with the appellant during the period from 20.12.2001 to 31.1.2002. It was in respect of this period of 40 days that the Forum has awarded Rs. 3,000/- as compensation for mental agony to be paid within a period of one month failing which the aforesaid amount would carry interest @ 10% p.a. In the facts and

circumstances stated above, the impugned order, in our view, is most reasonable and justified. The appeal is, therefore, dismissed. Appeal dismissed.