

(1996) 02 NCDRC CK 0038

In the National Consumer Disputes Redressal Commission

ASSTT. EXECUTIVE ENGINEER, WORLD BANK

APPELLANT

Vs

GRACY PAULOSE, THEKKINADATHU VEEDU

RESPONDENT

Date of Decision : 27-02-1996

Acts Referred:

Citation : 1996 3 CPJ 601

Hon'ble Judges : P.K.Shamsuddin , K.Balakrishnan Nair , K.M.Latha J.

Final Decision : Appeal dismissed

Judgement

1. THE above appeal is filed out of time along with a petition to condone the delay of 16 days. In the affidavit filed in support of the petition it is stated that the appeal could not be filed in time on account of amalgamation of two offices and consequent pressure of work. It is also stated the deponent was under the impression that the period of limitation is 90 days. In the circumstances of the case we are inclined to take a lenient view and allow the petition to condone the delay. We accordingly condone the delay.

2. WE heard the Counsel for the appellant and the complainant. On going through the order we find that the opposite party has not adduced any evidence to show that there was violation of any rules by the complainant. It is in that circumstance the District Forum passed an order holding that there is no justification for disconnection and directed the opposite party to pay compensation of Rs. 500/-. Learned Counsel appearing for the appellant submitted that the complainant has violated the rules by changing the meter and opening new taps without the permission of the Board. However no evidence was adduced to establish this. So we do not find sufficient reason to interfere with the order of the District Forum. This will not preclude the opposite parties from taking any fresh action against the complainant after giving an opportunity to him to show cause against the proposed action. Appeal is dismissed subject to the above. Appeal dismissed.