

(1999) 01 NCDRC CK 0017

In the National Consumer Disputes Redressal Commission

BLUEMOON AGENCIES

APPELLANT

Vs

GENERAL MANAGER

RESPONDENT

Date of Decision : 04-01-1999

Acts Referred:

Citation : 1999 3 CPJ 158

Hon'ble Judges : K.C.Bhargava , D.D.Bahuguna J.

Final Decision : Appeal dismissed

Judgement

1. THIS is an appeal against the order dated 16.10.1998 passed by District Forum-II, Lucknow in Complaint Case No. 581/SC/1997.

2. THE brief facts of the case stated are that the Rosette Box and the directory was not supplied to the complainant at the time when the telephone was energised. On this account the claimant claimed of Rs. 6,000/- as damages. The opposite parties did not file any written statement but argued that Rosette Box is not supplied due to shortage of directory it was not supplied on that time.

The learned District Forum after considering the case of the parties awarded a sum of Rs. 250/- as costs.

3. AGGRIEVED against the inadequate damages the complainant has come up in appeal and has challenged the correctness of the order passed by the learned District Forum. After perusal of the judgment and hearing the learned Counsel for the appellant, we do not find any force in this appeal. The reason is that if some delay of 18 days took place in supply of telephone directory as indicated by the opposite parties, no damages can be claimed under the Consumer Protection Act, 1986.

4. THE next contention of the learned Counsel for the appellant is that Rosette Box was also not supplied. THE telephone can satisfactory work without Rosette Box. ORDER THE appeal has no force and dismissed. Let a copy of this judgment be made available to the parties as per rules. Appeal dismissed. _____