

(2008) 03 NCDRC CK 0045

In the National Consumer Disputes Redressal Commission

BOB CARD LTD

APPELLANT

Vs

K V SUNDRAVADANAN

RESPONDENT

Date of Decision : 12-03-2008

Acts Referred:

Citation : 2008 2 CPJ 336

Hon'ble Judges : R.C.Jain , Anupam Dasgupta J.

Final Decision : Revision Petition dismissed

Judgement

1. -THIS revision petition is directed against the order dated 22. 11. 2007 passed by the State Consumer Disputes Redressal Commission, Chennai in Appeal No. 754/2003 thereby allowing the appeal of the respondent/complainant and holding that the complainant shall be, if at all, liable for Rs. 54,000. In regard to mental agony and suffering of the complainant as a result of the conduct of the opposite party (petitioner herein) the State Commission also awarded compensation of Rs. 15,000 to the complainant.

2. DISPUTE related to the theft/loss/misplacement of a BOB Card issued by the petitioner to the respondent/complainant as far back in the year 1992 initially with a small limit which was later raised to Rs. 54,000. Sometime during the later part of March, 2001 the respondent lost the said card and information was duly given to the petitioner's office at Chennai and then at Mumbai about the loss and for making "hot listing" of the said card. This action was taken on the said card only on 5. 4. 2001. It was alleged that in the interregnum, the BOB card came handy to some unscrupulous person who used it by making purchases worth around Rs. 1,20,000 which was admittedly in excess of the limit of Rs. 54,000 sanctioned to the respondent. Petitioner raised bills on the respondent seeking recovery of the amount and the respondent/complainant disputing his liability, approached the District Forum but his complaint was dismissed by the District Forum. Aggrieved by the order passed by the District Forum, the complainant went in appeal before the State Commission. The State Commission examined the matter in detail and held the view that if at all the respondent was

liable, his liability could not exceed Rs. 54,000. Consequently, the State Commission passed the impugned order and gave the directions mentioned above.

We have heard the learned Counsel for the petitioner who has not been able to point out any illegality or material irregularity or jurisdictional error in the impugned order which would justify our interference in these proceedings. The finding reached by the State Commission appears to be quite just and proper in the facts and circumstances of the case and, therefore, we see no merit in the revision petition. Hence, dismissed. R. P. dismissed.