

(2003) 05 NCDRC CK 0104

In the National Consumer Disputes Redressal Commission

BRANCH MANAGER, PUNJAB And SIND BANK

APPELLANT

Vs

SUSHEEL KUMAR BANSAL

RESPONDENT

Date of Decision : 07-05-2003

Acts Referred:

Citation : 2003 3 CPJ 133

Hon'ble Judges : K.D.Shahi , Surendra Kumar , Luxmi Singh J.

Final Decision : Appeal dismissed

Judgement

1. THIS is an appeal against the judgment and order dated 20.12.2002 passed by the District Forum directing the appellant to give a credit of Rs. 3,200/- in the account of the complainant along with interest.

2. THE facts are very simple. THE complainant has a bank account with the appellant. A sum of Rs. 3,200/- was withdrawn from his account without his knowledge and signature. On his objection the then Branch Manager made correction in the statement, but he did not make correction in the original ledger. In spite of several letters, the ledger was not corrected and that amount had still not been shown in the accounts of the complainant. THE written statement is that the then Manager of the Bank under the request of the applicant had transferred a sum of Rs. 3,200/- from the account of the applicant to the account of Devyani Constructions Company. On inquiry it was informed to us that this request was verbal. We are surprised that the Bank Manager hears verbal instructions as well. Nothing is on merit in this appeal. It was argued that the complaint before the learned Forum was barred by time. This is a case of bank account. The bank account still persists. These are the recurring transactions. Every amount of the petitioner survives till the account is there. There is no question of limitation. The Bank is a public institution. It cannot digest any amount of the public for nothing. It is sufficient that no order is being made against the Bank Manager or punitive cost is imposed, or compensation is awarded against the Bank. Only simple direction has been given to give credit of this amount along with simple interest at the rate of 12%. The appeal has got no

force and is to be dismissed. ORDER The appeal is hereby dismissed. Cost of the appeal shall be easy. Appeal dismissed.