

**(1994) 10 NCDRC CK 0020**

**In the National Consumer Disputes Redressal Commission**

CHOUDHARI AGENCIES

APPELLANT

Vs

Nasir Ali

RESPONDENT

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**Date of Decision :** 07-10-1994

**Acts Referred:**

**Citation :** 1995 1 CPJ 478 : 1995 2 CLT 218

**Hon'ble Judges :** G.G.Sohani , M.L.Tiwari J.

**Final Decision :** Appeal dismissed

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**Judgement**

1. THIS appeal is directed against the order dated 11-6-1993 passed by the District Consumer Disputes Redressal Forum, Bhopal in Complaint Case No. 65/92.

2. THE respondent instituted a complaint before the District Forum alleging that the scooter purchased by him was defective, that despite several complaints the defects were not rectified by the opponent and hence he filed a complaint before the District Forum. THE complaint was resisted by the respondent. THE District Forum after appreciating the material on record found that the scooter sold by the appellant to the respondent suffered from defect which were not rectified by the opponent. In this view of the matter, the District Forum awarded a sum of Rs. 2000/- to the complainant by way of compensation. Aggrieved by this order the appellant has filed this appeal. Learned Counsel for the appellant contended that on the job card the complainant had made an endorsement that the vehicle was repaired to his full satisfaction and hence the complainant was not entitled to any relief. In reply the complainant stated that he had signed when he was asked to sign at the time of obtaining delivery of the vehicle but he had noted on the reverse of the service coupons the defects existing in the vehicle. The complainant filed his affidavit and the affidavits of one Mohammad Iqbal and Jumman Khan in support of the allegations made by him. On the basis of the material on record the District Forum found that the allegations of the complainant that a defective vehicle was supplied to him by the opponent was substantiated. We find no cogent reason for interfering with this finding arrived

at by the District Forum. No case is, therefore, made out for interference in appeal. The appeal, therefore, fails and is accordingly dismissed. In the circumstances of this case parties shall bear their own costs of this appeal. Appeal dismissed.