

(2008) 09 NCDRC CK 0018

In the National Consumer Disputes Redressal Commission

CONNEXION ARCADE 71 THE MALL SHIMLA

APPELLANT

Vs

Rajesh Kumar Sharma

RESPONDENT

Date of Decision : 17-09-2008

Acts Referred:

Citation : 2008 4 CPJ 497

Hon'ble Judges : Arun Kumar Goel , Saroj Sharma J.

Advocate : Dheeraj Kanwar , R.K.Khidta , Ritu Sharma , Sumeet Raj Sharma

Judgement

1. IN compliance to the order dated 8. 1. 2008, in Consumer Complaint No. 209/2007, Mr. Dheeraj Kanwar, learned Counsel for the respondent Nos. 2 and 3 has produced a brand new sealed Nokia Mobile Handset Model No. 6300 and the same has been handed over to Mr. Khidta, learned Counsel for the appellant. At the same time old handset along with its accessories has been returned by Mr. Khidta. In these circumstances, nothing survives in this appeal as the order of District Forum below stands complied with.

2. AT this stage Mr. Khidta submitted that when his client purchased the handset in question he paid Rs. 11,116 to the appellant, whereas the MRP of the mobile handset in question is Rs. 8439 as shown on the cover of the same. He thus prayed for being compensated due to acts of omission and commission on the part of the appellant, by at least putting exemplary cost on the appellant. There seems to be some substance as argued by Mr. Khidta. As such cost of Rs. 1,000 is imposed on respondent Nos. 2 and 3. Though Mr. Kanwar seriously opposed the levy of costs. This submission is rejected. The cost of Rs. 1,000 as levied by the District Forum below has been deposited by the appellant, the same is ordered to be released in favour of the respondent No. 1 with up-to-date interest accrued on it. So far as cost in this appeal is concerned, learned Counsel for respondent Nos. 2 and 3 has paid Rs. 1,000 in cash today to the respondent No. 1 through its learned Counsel Mr. Khidta before us. All interim orders passed from time-to-time in this appeal shall stand vacated forthwith. Learned Counsel for the parties have undertaken to collect the copy of this order from the Court

Secretary free of cost as per rules. Appeal disposed of.