

(1999) 04 NCDRC CK 0031

In the National Consumer Disputes Redressal Commission

C.P.ANAND

APPELLANT

Vs

Central Bank of India

RESPONDENT

Date of Decision : 09-04-1999

Acts Referred:

Citation : 1999 3 CPJ 200

Hon'ble Judges : S.K.Dubey , N.K.Vaidya J.

Final Decision : Appeal dismissed

Judgement

1. ARGUMENTS heard.

2. COMPLAINANT, who filed the complaint alleging excess charge of interests on the loan advanced by the opposite party - the bank. The complaint was contested on the ground that interest has been charged according to Reserve Bank of India's instructions issued from time to time, and that the opposite party has instituted a civil suit for recovery of the amount, therefore, the District Forum has no jurisdiction. The District Forum held that in the circumstances, it has no jurisdiction to deal with the complaint. The District Forum further held that the complainant has failed to establish that interest was charged in excess, that the rate of interest then as prescribed by the Reserve Bank of India. After hearing Counsel for the parties we are of the opinion that the order of the District Forum cannot be faulted. As the civil suit is pending between the parties, the appellant if advised may take all objections legal and factual which maybe available to him. The order passed by the District Forum will not come in the way of the appellant.

With the aforesaid observation appeal is dismissed. No order as to costs. Appeal dismissed.