

(1993) 03 NCDRC CK 0093

In the National Consumer Disputes Redressal Commission

DEPOT MANAGER, A.P.S.R.T.C. ZAHEERABAD

APPELLANT

Vs

P. SURENDER

RESPONDENT

Date of Decision : 05-03-1993

Acts Referred:

Citation : 1993 2 CPJ 753

Hon'ble Judges : A.Venkatarami Reddy , Pothuri Venkateswara Rao , J.Ananda Lakshmi J.

Final Decision : Appeal dismissed

Judgement

1. A complaint was filed by the respondent herein as C.D. No. 97/1991 before the District Forum claiming a sum of Rs. 31,950/- being the value of the sarees and other items of clothing lost by him while travelling in the bus from Jubilee bus-station to Beedar. According to the complainant when the bus reached Zaheerabad bus stand, it stopped in front of the workshop. According to the complainant, he and his wife along with other passengers got down from the bus. According to him, the conductor informed him that the luggage can be kept in the bus and the bus would come after filling up of the oil. Thereafter the complainant and his wife waited at the bus-point for five minutes and as the bus did not return, he went into the workshop and made enquiries. He was informed that the bus had already left and was advised to check up at the bus-point. He also enquired with the controller and was informed that the bus already left. Although he requested the controller that he had his luggage in the bus and asked him what he should do, the controller behaved with him in a rude manner and said that they were not responsible for the luggage. He valued the items lost as Rs. 31,950.00 and made a claim for that amount. As the Opposite Party did not pay any amount, a complaint was filed before the District Forum. Before the District Forum, the complainant was examined and Exs.A.1 to A20 were marked and the conductor of the bus was examined as R.W.1 and Exs.B.1 to B.3 were marked.

2. ON a consideration of the evidence, the District Forum found that out of the

receipts produced, Exs. A.14, A15 and A.18 are only related to the items of sarees said to have been lost. The bills are in the name of the father-in-law of the complainant. The total amount of the bills came to Rs. 15,655.00. As the bills related to the year 1989, the District Forum awarded a sum of Rs. 7,825.00 roughly being the half of the amount. If rejected the other items, as no names were mentioned in the bills and they cannot be related to the other items said to have been lost. The District Forum also granted compensation of Rs. 450.00 towards the half of the value of the suitcase. It also awarded costs of Rs. 380.00. Aggrieved by the said order, the opposite party preferred this appeal. It is submitted by the counsel for the appellant that the claim is merely speculative and the compensation is arbitrary. According to him, Exs.A.14, A. 15 and A. 18 are in the name of one Mr. Ponnala Pandu and not the complainant. But the complainant has stated that this Ponnala Pandu is his father-in-law and these items are purchased at the time of their marriage and hence the District Forum rightly held the items covered by Exs.A.14, A.15 and A.18 relate to some of the items said to have been lost. The District Forum also taken into consideration that the items lost are not new and awarded only half of the value of the items. In these circumstances, we are satisfied that the compensation awarded by the District Forum is quite reasonable and proper and does not call for any interference. The appeal is accordingly dismissed. No costs. Appeal dismissed.