

(2006) 11 NCDRC CK 0009

In the National Consumer Disputes Redressal Commission

DIVYA SOOD

APPELLANT

Vs

GURDEEP KAUR BHUHI

RESPONDENT

Date of Decision : 27-11-2006

Acts Referred:

Citation : 2006 0 NCDRC 66 : 2007 1 CLT 496 : 2007 1 CPJ 44

Hon'ble Judges : M.B.SHAH , RAJYALAKSHMI RAO J.

Final Decision : Petition is dismissed

Judgement

1. APPLICATION for adjournment by the proxy counsel is rejected. In our view, the order passed by the State Commission cannot be said to be in any way erroneous. An advertisement was given by "The Body Care" in The Times of India that without dieting, weight would be reduced. The complainant who has paid the amount, after undergoing the treatment, found that the said advertisement was bogus because after taking the treatment, her weight did not reduce. Hence, the complainant filed Complaint No.1040/2005 before the District Forum, Bangalore. The District Forum, by its order dated 30.12.2005, arrived at the conclusion that this would be an unfair trade practice and awarded a sum of Rs.25,000/- as compensation and also directed the petitioner herein to refund the amount of Rs.10,500/- paid by the complainant to the petitioner.

2. BEING aggrieved by the order of the District Forum, the petitioner filed Appeal No.103/2006 before the State Commission, Karnataka. The State Commission, by its order dated 12.9.2006, confirmed the order passed by the District Forum. We entirely agree with the findings recorded by the fora below. Such tempting advertisements, giving misleading statements with regard to the alleged treatment, are increasing day-by-day and are required to be controlled so that persons may not be lured to pay large amount to such bodies in a hope that they can reduce their weight by undergoing the so-called treatment. The amount awarded by the for a below is also on the lower side. Considering this aspect, this Revision Petition is dismissed.