

(2003) 07 NCDRC CK 0057

In the National Consumer Disputes Redressal Commission

GADI V.KALESWARA RAO

APPELLANT

Vs

Superintendent of Post Offices

RESPONDENT

Date of Decision : 10-07-2003

Acts Referred:

Citation : 2003 4 CPJ 420 : 2004 1 CPR 251

Hon'ble Judges : P.Ramakrishnam Raju , Mamata Lakshman J.

Final Decision : Appeal dismissed

Judgement

1. THE complainant is the appellant herein. His case is that he is fully qualified for the post of Judicial Officer and accordingly he sent an application to the High Court of Delhi through speed post with the opposite parties by paying Rs. 60/- towards transmitting charges. THE last date for receipt of the application was 30.3.2002 before 5.00 p.m. As he did not receive the acknowledgement he made a complaint to the first opposite party who in turn asked the second opposite party to take necessary action. But there is no response from the second opposite party. Hence he filed the complaint.

2. IT is admitted by the opposite parties that the complainant sent the cover through speed post on 27.3.2002 while the last date is 30.3.2002. As 29.3.2002 happened to be Good Friday and 30.3.2002 is Saturday and 31.3.2002 being Sunday the speed post could not be delivered. However it is delivered on 1.4.2002. The District Forum found that 30.3.2002 being Saturday and working day it should have been delivered on that day, but it was not done. Consequently the application of the complainant was rejected as received out of time. Hence the District Forum found that there is deficiency in service and awarded a sum of Rs. 500/- towards inconvenience and mental agony caused to the complainant as well as issued a direction to refund the amount of Rs. 60/- collected by the opposite parties.

Dis-satisfied with the said order the complainant filed this appeal.

3. THE complainant submits that he has lost an opportunity for being considered

for the post of Judicial Officer in the High Court of Delhi as the cover containing his application was not presented in time and as such awarding a meagre sum of Rs. 500/- towards damages is disproportionate to the loss suffered by him. We cannot accept this contention. We are not sure whether the complainant would get selected and secure the job. He has not even mentioned the marks obtained by him in the qualifying examination for making an application to know whether he is an average candidate or a brilliant candidate. Therefore, his expectation that he would be selected is only his wish and desire. He has not placed any material to show that in all probability he would have been selected. He has not even filed the marks of the candidate in the qualifying examination who was selected eventually. In the absence of these particulars it cannot be predicted that the complainant has lost the job or he would have earned the salary allowable for the said job. For these reasons, we do not find any reason to interfere with the order of the District Forum. The appeal, therefore, fails and is accordingly dismissed. No costs. Appeal dismissed.