
(1995) 04 NCDRC CK 0016

In the National Consumer Disputes Redressal Commission

ISHWINDER SINGH

APPELLANT

Vs

VIJAY KUMAR PANDEY

RESPONDENT

Date of Decision : 21-04-1995

Acts Referred:

Citation : 1995 2 CPJ 371

Hon'ble Judges : G.G.Sohani , M.L.Tiwari , Saroj Rajwade J.

Final Decision : Revision petition dismissed

Judgement

1. SHRI A.K. Jain, learned Counsel for the petitioner.

2. LEARNED Counsel States that by mistake this petition has been filed as an appeal though it should have been filed as a Revision Petition and he prays that the petition be treated as a Revision Petition. The prayer is allowed. Register the case as Revision. Heard Shri A.K. jain, learned Counsel for the petitioner.

This Revision Petition is directed against the order dated 28.3.95 passed by the District Forum, Jabalpur in Case No. 216/93. Our attention was invited to certain observations made, by the District Forum in its order dated 28.3.95 stating that on the basis of the reply of the petitioner denying the allegations of the complainant, it could not be held that the opponents petitioners were disputing the allegations made by the complainant and it would be held that the allegations were admitted by the opponents. It was also observed that there was no provision for cross-examination of any person who had filed an affidavit . We are afraid that while making these observations the District Forum has not taken into consideration the general law relating to pleadings and the provision of Section 13(4) of the Act enabling the District Forum to summon and enforce the attendance of any defendant or witness and examine the witness on oath. We hope and trust that the District Forum would proceed to dispose of the case in accordance with the provision of the consumer Protection Act, 1986. With these observations, the revision petition id dismissed. Revision petition dismissed.