

(2001) 08 NCDRC CK 0062

In the National Consumer Disputes Redressal Commission

Jagdish Prasad

APPELLANT

Vs

RAM ADHAR YADAV

RESPONDENT

Date of Decision : 16-08-2001

Acts Referred:

Citation : 2002 2 CPJ 473 : 2003 1 CLT 82

Hon'ble Judges : K.C.Bhargava , D.D.Bahuguna J.

Final Decision : Appeal dismissed

Judgement

1. THIS is an appeal against the judgment and order dated 25.7.1992 passed by District Forum, Sonbhadra in Complaint Case No. 7/1991. Briefly stated the facts of the case are that the complainant applied for taking 5 H.P. connection on 31.3.1991 by depositing Rs. 1,000/-. The receipt was to be given on next day as that was Sunday on 31.3.1991. A letter was given by opposite party for connection but electric connection has not been given to complainant inspite of several requests made by him to the opposite parties. Thereafter the complainant has filed the complaint praying for refund of amount along with compensation of Rs. 8,400/-.

2. THE opposite parties contested the claim lodged by complainant and alleged that no amount has been paid by complainant. The parties led their evidence before Forum. The District Forum after consideration the facts of the case came to the conclusion that complainant is unable to prove the deposit of the amount with opposite parties and rejected the claim of complainant.

Against the above judgment and order the complainant has come in appeal.

3. WE have heard the Counsel for opposite parties. None was present for appellant inspite of service of notice. In this appeal U.P. S.E.B. has not been made party but Executive Engineer, S.D.O. and Junior Engineer have been made party by name. The District Forum has given finding that no receipt was produced for deposit of Rs. 1,000/- by complainant and complainant is unable to prove the deposit. We do not find any reason to disagree with the finding of the

District Forum. The judgment and order passed by District Forum are perfectly correct and do not require any interference. The appeal is liable to be dismissed. ORDER The appeal is dismissed. The judgment and order passed by District Forum are confirmed. Let copy as per rules be made available to parties. Appeal dismissed.