

(2004) 05 NCDRC CK 0052

In the National Consumer Disputes Redressal Commission

Jaipal Singh

APPELLANT

Vs

SACHIV, KISAN SEWA SAHAKARI SAMITI LTD.

RESPONDENT

Date of Decision : 25-05-2004

Acts Referred:

Citation : 2004 4 CPJ 401

Hon'ble Judges : Rachna , R.N.Prasad J.

Final Decision : Appeal dismissed

Judgement

1. -THIS is an appeal against the judgment and order dated 8.8.2003 passed by the District Consumer Forum, Bijnore in Complaint Case No. 137/02.

2. THE complainant filed the complaint admitting himself to be the member of Kisan Sewa Sahkari Samiti Ltd., alleging that without taking any loan dues were shown in his name. Written statement was filed.

District Consumer Forum after hearing the submissions raised by the Counsel for the parties and perusing the material available on record came to the conclusion that there were arrears against the appellant and hence complaint was dismissed.

3. AGGRIEVED against the said order the present appeal has been filed. We have heard Mr. Sanjay Verma learned Counsel for the appellant at length at admission stage.

4. IT was argued by Mr. Verma that there existed no material whatsoever with the respondent to justify the claim of arrears. It was further argued that the District Forum has erred in law in dismissing the complaint. It was further submitted that the appellant is an illiterate person and whatever signatures were obtained by Samiti were obtained by practising fraud.

5. ADMITTEDLY the complainant is the member of the Sewa Samiti and is agriculturist. By virtue of his being the member he opened an account and deposited a sum of Rs. 14,505/- and after the deposit a cheque bearing No. 077243 for Rs. 12,460/- and another cheque bearing No. 077244 for Rs. 5,221/-

were issued acknowledging the purchase of fertiliser. If these two amounts shown in the aforesaid cheques are admitted it will be obviously much more amount than that of deposited amount of Rs. 14,505/- placing the appellant to be listed as one of the debtors. Therefore, the cooperative society is entitled to realise the dues.

6. THERE is no error in the order passed by District Forum. The complainant has no substance and the appeal is liable to be rejected. The appeal is rejected at the admission stage. Parties will bear their own cost. Appeal dismissed.