

(2006) 01 NCDRC CK 0065

In the National Consumer Disputes Redressal Commission

K.E.B EMPLOYEES CO-OPERATIVE SOCIETY LIMITED

APPELLANT

Vs

V.MUNIVENKATAPPA

RESPONDENT

Date of Decision : 18-01-2006

Acts Referred:

Citation : 2006 2 CLT 470 : 2006 2 CPC 309 : 2006 2 CPJ 352

Hon'ble Judges : K.S.Gupta , P.D.Shenoy J.

Final Decision : Revision Petition dismissed

Judgement

1. PETITIONER was the opposite party. Respondent/complainant became a member of petitioner and deposited with it a total amount of Rs. 64,000 up to 26.9.1997 towards value of site in Sarjapur area. Since respondent was not allotted site in Sarjapur area despite having waited for a number of years he insisted for return of deposited amount which was paid through a cheque on 2.4.2003 by the petitioner. As interest was not paid on that amount, the respondent filed complaint which was allowed ex parte against the petitioner with direction to pay interest @ 18% per annum on Rs. 64,000 from 26.10.1997 till date of payment of said amount. Dissatisfied with this order the petitioner filed appeal which was dismissed by the State Commission by the order dated 25.1.2005. It is this order which is being challenged by the petitioner in this revision.

2. ONLY contention advanced by Mr. Shakil Ahmad Syed is that the complaint was barred by Section 70 of the Societies Act. Submission is, however, without any merit as the provisions of Consumer Protection Act, 1986 are in addition to the provisions of any other law for the time being in force. Respondent has been rightly awarded interest on the deposited amount. There is no illegality or jurisdictional error in the orders passed by Fora below warranting interference in revisional jurisdiction under Section 21(b) of the Consumer Protection Act, 1986. Accordingly, revision is dismissed. Revision Petition dismissed.