

(2002) 11 NCDRC CK 0066

In the National Consumer Disputes Redressal Commission

Krishan Kumar Gupta

APPELLANT

Vs

General Manager, Bank of India

RESPONDENT

Date of Decision : 20-11-2002

Acts Referred:

Citation : 2003 1 CPJ 152 : 2003 1 CPR 256 : 2003 2 CLT 445

Hon'ble Judges : D.P.Wadhwa , J.K.Mehra , B.K.Taimni J.

Final Decision : Complaint dismissed

Judgement

1. THIS complaint has been filed by the complainant Krishan Kumar Gupta alleging deficiency in service on the part of the opposite party his erstwhile employer - Bank of India.

2. THE facts of the case are that the complainant was employed as a clerk-typist with the opposite party Bank since 1972 from where he superannuated after seeking premature retirement on 5.9.1998. Allegation against the O.P. is that even when the complainant had opted for pension scheme in 1996, yet when he applied for pension after retirement, firstly no action was taken for two years and subsequently grant of pension was refused in July, 2000. In between the complainant approached the Allahabad High Court, who vide its order dated 9.3.2000 directed the complainant to approach the O.Ps. who were directed to dispose off this matter in accordance with law. On approaching the O.Ps., the prayer for grant of pension was denied vide letter dated 15.7.2000 to the complainant on the ground that as per their record the complainant has not exercised the option for pension. This complaint was filed on 13th July, 2002. He prays for Rs. 10 crores by way of compensation. We see on record that he did get the arrears of pension as also commuted pension on 19.8.2000, his prayer for compensation of Rs. 10 crores does not appear to be based on merits of the case but is based on a garbled narration of sentiments on family affairs. His plea for grant of this huge compensation is that he could not marry himself and marry of his sisters. People get into employment to get married and are not known to leave employment to get married. It is his grouse that pension has been given on

old pay scale. We see nothing on record to show if he has made any representation to the Bank on this account. There is some delay in grant of pension and interest but in no way will that bring the complaint within our jurisdiction.

This complaint appears to be a complete abuse of process of law. He cannot be even called a consumer within the definition of this word defined in the Act. Complainant has not hired the services of the O.P. To look for a compensation running into crores of rupees on a small pension amount itself negatives the bona fides of the complainant. We see no merit in the complaint and dismissed. No orders as to costs. Complaint dismissed.