

(2004) 06 NCDRC CK 0085

In the National Consumer Disputes Redressal Commission

MOHINI DEVI

APPELLANT

Vs

SHETRIYA SAHAKARI SADHAN SAMITI LTD.

RESPONDENT

Date of Decision : 10-06-2004

Acts Referred:

Citation : 2004 2 CPC 320 : 2004 3 CPJ 285

Hon'ble Judges : K.D.Shahi , Surendra Kumar J.

Final Decision : Appeal dismissed

Judgement

1. THIS is a complainant's appeal against the order dated 6.5.2003 passed by the District Forum, Pitthoragarh whereby the complaint of the complainant was dismissed.

2. THE brief facts of the case are that the complainant filed a complaint with the allegations that to purchase a cattle for milk she took a loan of Rs. 20,000/- (Rupees twenty thousand) on 5.3.1997 from the opposite party No. 1, Shetriya Sahakari Sadhan Samiti Ltd., in which the complainant got a subsidy of Rs. 4,000/- (Rupees four thousand). THE loan was for 3 years. She deposited a sum of Rs. 600/- on 7.2.1997, a sum of Rs. 1,000/- on 5.3.1997, a sum of Rs. 600/- on 4.12.1997 and in this way on different dates she deposited a sum of Rs. 5,787/- (Rupees five thousand seven hundred eighty seven) by 5.3.2002 and thereafter she had made regular deposits and total deposit of Rs. 18,487/- (Rupees eighteen thousand four hundred eighty seven) has been made by her. THERE was a due of Rs. 10,164/- (Rupees ten thousand one hundred sixty four) against the complainant but she found that the amount of subsidy has not been paid to her. Thus she has been defrauded by the opposite party No. 1. She has claimed for grant of Rs. 4,000/- (Rupees four thousand). The opposite party filed written statement and alleged that a F.D. was prepared of Rs. 4,000/- (Rupees four thousand), the amount of subsidy. It was deposited with the Bank and on payment the F.D. of Rs. 4,000/- (Rupees four thousand) along with interest was deposited in the account of the complainant.

After taking the evidence of the parties and hearing them, the learned Forum

rejected the complaint. Against which order the present appeal has been filed.

3. WE have heard the learned Counsel for the parties and gone through the records. WE are fully satisfied that these accounting matters cannot be entertained by the Consumer Forum. Whether the Samiti grants subsidy or not, that is an internal matter. The complainant is the Member of the Samiti, she may raise it before the Registrar or in arbitration proceedings but the Forum will not enter into allegations of this type and will not find out whether the complainant was entitled to this amount, whether this amount has been deposited in the account of the complainant or not? There is no question of any deficiency in service in these matters. The learned Forum has rightly dismissed the complaint. The complainant if so advised may file a civil suit or arbitration proceedings before the Registrar of the Samiti and in case such suit or reference is made, our judgment shall not be taken as expression of opinion on points involved in the case. But this appeal has got no force and is liable to be dismissed. ORDER The appeal is hereby dismissed. Cost of this appeal shall be easy. Appeal dismissed.