

(2000) 05 NCDRC CK 0058

In the National Consumer Disputes Redressal Commission

N.GOVINDAN

APPELLANT

Vs

B.M.SHARMA, ZONAL MANAGER, PUNJAB NATIONAL BANK

RESPONDENT

Date of Decision : 10-05-2000

Acts Referred:

Citation : 2000 3 CPJ 198

Hon'ble Judges : M.S.Janarthanam , S.P.Sivaprakasam , Banumathi Baskaran J.

Final Decision : O.P. disposed of

Judgement

1. THIS action came up for admission before us today. The 1st complainant N. Govindan, without engaging a Counsel of his choice, projected his hues of views in this matter.

2. WE heard him and perused the averments made in the complaint and the other materials placed on record. On perusal of the averments in the complaint and the other materials placed on record, we feel that a prima facie case is made out for the alleged deficiency in service on the part of the opposite parties. The subject-matter of dispute in this action is relatable to opening of an NRI account depositing an amount of Rs. 18,000/-. Because of the alleged inefficiency on the part of the opposite parties and the delay caused in opening such an account, loss of health, mental agony etc., it is said, was caused to the complainants. For such agony, they have prayed compensation in a sum of Rs. 5 lakhs + Rs. 1 lakh = Rs. 6 lakhs as has been stated in the relevant columns, viz., Columns (b) and (f) respectively. The compensation so prayed for, we rather feel, is escalated obviously with a view to attract the jurisdiction of this Commission. No material worth the name has been placed on record as to how such an amount has been quantified as compensation to be paid to them. WE also feel that because there is no Court-fee involved they have made such an escalated claim so as to have the matter agitated before a higher Forum, i.e., before us. WE are further of the view that even assuming that there is any deficiency on the part of the opposite parties, the quantum of compensation that is capable of being granted at the fag end of the trial can, if at all, be at a minimal level not exceeding the jurisdiction

of the District Forum. In this view of the matter, the complaint is returned for presentation before the competent District Forum having jurisdiction. We are also informed that the competent Forum having jurisdiction is the District Consumer Disputes Redressal Forum, Chennai (South). This complaint is, therefore, returned to be presented before the District Consumer Disputes Redressal Forum, Chennai (South) within a period of three weeks from today, of course, after amending the prayer columns (b) and (f) respectively. O.P. disposed of.