

(1996) 10 NCDRC CK 0052

In the National Consumer Disputes Redressal Commission

P.M.Punnoose

APPELLANT

Vs

DEPUTY GENERAL MANAGER, MADRAS TELEPHONES

RESPONDENT

Date of Decision : 23-10-1996

Acts Referred:

Citation : 1996 3 CPJ 469

Hon'ble Judges : E.J.Bellie , V.S.Kandasamy , Angel Arulraj J.

Final Decision : Appeal dismissed

Judgement

1. THE complainant alleged against the opposite party officers of the Madras Telephones deficiency in service by unlawfully and unreasonably disconnecting his phone and delaying in reconnection. THE District Forum rejected the claim that there was unreasonableness in disconnecting the phone. But it held that it is true that there was unreasonable delay in reconnecting the phone. It awarded a compensation of Rs. 10,000/- for mental agony and hardship. It is against, this order the appeal is filed by the opposite party.

2. A bill Ex. A1 dated 7.6.91 was issued. The due date for payment was 21.6.91. It is not in dispute that the amount was paid subsequently to the said due date. The telephone was disconnected for non-payment within time. The complainant's case that there was no fault on his side for late payment was rejected by the District Forum. As against this finding no appeal has been filed. The only question for consideration in the appeal is whether there was delay in reconnection as held by the District Forum. It is not in dispute that the amount due under the bill in question was paid on 10.7.91 and reconnection charges was paid on 11.7.91. But the reconnection of the phone was given only on 7.1.92. Therefore there was about 6 months delay. The opposite parties however contend that the payment particulars have not been furnished to the complainant and they came to know about the payments of the bill amount and the reconnection charges only on receipt of the complainant's letter dated 31.12.91 and immediately they have given reconnection and therefore there was no deficiency in service on their part. But as pointed out by the District Forum the

opposite parties had their own records to show the payment particulars. The District Forum has also referred to the various correspondences between the complainant and the opposite party including Ex. A 3 letter dated 16.10.91 and has come to the conclusion that there is no merit in the contention of the opposite party. After carefully considering the matter, we find no reason to differ from this finding. Regarding the quantum of compensation awarded also we find nothing warranting to interfere with that. Thus we find no merit in the appeal.

The appeal is therefore, dismissed. There will be no order as to costs. Appeal dismissed.