

(1992) 11 NCDRC CK 0063

In the National Consumer Disputes Redressal Commission

RAVIKANT-/

APPELLANT

Vs

REGIONAL MANAGER, U.P. STATE ROAD TRANSPORT

RESPONDENT

Date of Decision : 11-11-1992

Acts Referred:

Citation : 1993 0 CPC 343 : 1993 1 CPJ 286 : 1993 2 CPR 305

Hon'ble Judges : K.S.Varma , S.P.Goyal , Vidya Sonker J.

Final Decision : Appeal allowed

Judgement

1. THIS appeal has been filed by the Complainant against the dismissal of Complaint by District Forum, Mathura. The case of the Complainant is that on 12th October, 1986, he travelled by Bus No. 52046 for Govardhan. The Bus belongs to the opposite party. The Complainants case is that he gave Rs. 100/- note to the conductor and asked refund of the rest of the amount. The Complainant on 20th October, 1986 sent letter to opposite party No. 2 alongwith the ticket which had endorsement on it's back about payment of Rs. 100/-. It is further supported by sending reminders and return of money.

2. THE Complainant on account of these lapses on the part of opposite parties has claimed compensation. The opposite parties put in appearance that the claim is barred by time. It is further contended that the conductor was departmentally dealt with and was dismissed from service.

During the course of argument in the appeal our attention was drawn to a letter dated 21.6.91 sent to the Complainant in July 1991. In that letter the opposite party assured Complainant that his case is under consideration. From a perusal of this letter, it is obvious that the opposite parties are still prepared to consider the case. We accordingly set aside the order of District Forum holding that the claim is barred by time. It is obvious that the opposite parties shall considering the case of the Complainant.

3. WE accordingly expect that the opposite parties will expedite the enquiry in the case. For the reasons stated above, the appeal is allowed. The order passed

by the Forum is set aside and the opposite parties are directed to consider the case of the Complaint in light of letter dated 21.6.91. Appeal allowed.
