

(1999) 08 NCDRC CK 0065

In the National Consumer Disputes Redressal Commission

Satnam Kaur

APPELLANT

Vs

MAHANAGAR TELEPHONE NIGAM LIMITED

RESPONDENT

Date of Decision : 04-08-1999

Acts Referred:

Citation : 1999 3 CPJ 210

Hon'ble Judges : Lokeshwar Prasad , Desh Bandhu , Rumnita Mittal J.

Final Decision : Appeal dismissed

Judgement

1. THE present appeal, filed by the appellant, is directed against an order dated 16.7.1999, passed by District Forum (North West) in Complaint Case No. 01/98-entitled Smt. Satnatn Kaur Wadhwa v. Mahanagar Telephone Nigam Limited.

2. THE facts relevant for the disposal of the present appeal, briefly stated are that the respondent/M.T.N.L. had issued an advertisement in the leading Newspapers stating therein that whosoever had applied on or before 11.3.1998 for a telephone connection by depositing a sum of Rs. 3,000/-, the telephone connection would be made available to that applicant by the respondent/M.T.N.L. by 31.3.1998. Acting on the above offer of the respondent/M.T.N.L., the appellant deposited a sum of Rs. 3,000/- with the respondent/M.T.N.L. on 11.3.1998 for the installation of a telephone connection at her shop at F-14/47, Model Town, Delhi. As no telephone connection, in terms of the offer, was provided by the respondent/M.T.N.L., the appellant filed a complaint under Section 12 of the Consumer Protection Act, 1986 (hereinafter referred to as "the Act") before the District Forum with the prayer that the respondent/M.T.N.L. be directed to provide telephone connection immediately against the above said registration and to pay damages @ Rs. 200/- per day to the appellant alongwith litigation expenses. The learned District Forum vide order dated 16.7.1999 has held the respondent/ M.T.N.L. guilty of unfair trade practice and has directed the respondent/M.T.N.L. to install a telephone connection in question immediately, to pay compensation of Rs. 3,000/- together with litigation expenses of Rs. 1,000/- to the appellant.

In the present appeal, the grievance of the appellant is that the compensation awarded is too inadequate and the appellant in the facts and circumstances of the case should have been awarded damages to the extent of Rs. 200/- per day.

3. WE have heard the learned Counsel for the appellant at length and have also carefully gone through the documents/material on record. On a query, raised by us, we were informed by the learned Counsel for the appellant that the respondent/M.T.N.L., in compliance with the order of the District Forum, has already installed the telephone connection in question. As already stated the learned District Forum vide order dated 16.7.1999 has already awarded a compensation of Rs. 3,000/- to the appellant. The learned Counsel for the appellant, during the course of arguments, could not satisfy us as to on what grounds the compensation awarded by the learned District Forum was inadequate. He also could not satisfy us as to the basis for claiming damages @ Rs. 200/- per day. In our opinion, in the given facts the compensation awarded by the learned District Forum appears to be proper and adequate and calls for no interference by this Commission in exercise of its appellate jurisdiction.

4. IN view of the position explained above, the present appeal, filed by the appellant, is devoid of substance. The same merits dismissal. Accordingly, the same is dismissed in limine with no order as to costs. Appeal dismissed.