

(2001) 03 NCDRC CK 0079

In the National Consumer Disputes Redressal Commission

Senior Superintendent of Post Offices	APPELLANT
Vs	
BHAGWAN DASS TULSIYAN	RESPONDENT

Date of Decision : 14-03-2001

Acts Referred:

Citation : 2001 3 CPJ 493

Hon'ble Judges : K.C.Bhargava , D.D.Bahuguna J.

Final Decision : Appeal dismissed

Judgement

1. THIS is an appeal against the judgment and order dated 1.8.1992 passed by District Consumer Forum, Hardwar in Complaint Case No. 74/1992.

2. THE facts of the case stated in brief are that the complainant purchased National Savings Certificates and the maturity date of these NSCs was 10.3.1992. Two months before the date, i.e. on 10.1.1992 the complainant gave an application for transfer of these NSCs to Post Master, Shibsagar, Assam. When the complainant did not receive any reply from there, he issued reminders on 19.2.1992 and 7.3.1992. THE Post Master, Kanihal by letter dated 24.3.1992 informed the complainant to apply to the Assistant Superintendent, Post Office, Saharanpur for transfer. THEREafter the payment of the NSCs was made on 12.5.1992 and 13.5.1992. The opposite parties did not intimate any reasons as to why there was delay in payment of this amount. The complainant, therefore, approached District Forum by filing this complaint. The opposite parties have admitted these facts.

The learned District Forum, after considering the case of the parties, directed for payment of Rs. 500/- as damage and Rs. 200/- as costs on account of late payment of N.S.C. amount.

3. AGGRIEVED against the order of the learned District Forum, the opposite party has come in appeal and has challenged the correctness of the order passed by the Forum. Notices were issued to both the parties, but none was present. The opposite party has informed by letter dated 2.9.2000 that he is unable to come

to the State Commission and the appeal may be decided on merits. Alongwith this letter written arguments were also attached.

4. WE have gone through the written arguments and find that there is no explanation from the side of the Post Office as to why the payment of the amount due was delayed by the Post Office. When the NSCs were sent by the complainant by letter dated 10.1.1992 why the complainant was not informed to apply to the Saharanpur Post Office for encashment of these NSCs. The delay which has taken place has not been explained. Hence the deficiency is on behalf of the Post Office. The learned District Forum was perfectly justified in directing the Post Office to pay the damages and the cost. No interference is required in the judgment and order of the learned District Forum. The appeal is, therefore, liable to be dismissed. Order The appeal is dismissed and the judgment and order of the learned District Forum are confirmed. Let compliance of the order be made within a period of two months from the date of this order. Let copy as per rules be made available to the parties. Appeal dismissed.