
(1996) 03 NCDRC CK 0014

In the National Consumer Disputes Redressal Commission

S.R.BHANRALE

APPELLANT

Vs

Union of India

RESPONDENT

Date of Decision : 11-03-1996

Acts Referred:

Citation : 1996 2 CPJ 354 : 1996 3 CPR 81

Hon'ble Judges : A.P.Chowdhri , S.Brar , Desh Bandhu J.

Final Decision : Complaint allowed with costs

Judgement

1. THE complainant retired as Asstt. Director (General) TP Cell, Department of Telecommunications, Government of India, Sanchar Bhawan New Delhi in July, 1984. He had been receiving his pension through Post Office. THE same was being received through Post Master, Aminabagh, Lucknow. THE complainant applied to the Post Master, Aminabagh, Lucknow on 10.8.94 for transfer of the Pension Pay Order to the Post Master, Parliament Street, New Delhi. He hoped to get the pension disbursed at New Delhi from 1.9.94. He had been following up his request by writing as well as personally approaching the various persons concerned but to no purpose. THE complainant, who is 70 and a man of modest means, had to suffer great hardship set out in necessary detail in the complaint. It was only on 8.6.95, after a period of about 10 months, that the letter reached the Post Office, Parliament Street, New Delhi. THE delay constituted deficiency in service on the part of the opposite party. THE complainant claimed Rs. 18,95,590/- as detailed in sub-paragraphs of para 6 of the complaint. Notice was issued to the opposite parties by registered post. THE notices were not received back undelivered. Service was, therefore, presumed. None having appeared for the opposite parties, they were proceeded ex-parte on 10.11.95.

2. THE averments made in the complaint are duly supported by affidavit of the complainant. No reason has been put-forth on behalf of the opposite party for the delay. THE delay involved is unreasonable and this has resulted in great hardship to the complainant. From the documents placed on record it is abundantly clear that the complainant had been following up the question of

transfer of the pension payable order from Lucknow to Delhi. We are clearly of the view that the delay on the part of the opposite parties constitutes deficiency in service. With regard to the quantum of compensation, keeping in view the totality of facts and circumstances, a compensation of Rs. 10,000/- would meet the ends of justice. We, accordingly, direct the opposite party to pay within one month of the receipt of the copy of this order, the aforesaid sum of Rs. 10,000/- and interest @ 18% p.a. on the amount of pension of 10 instalments commencing from August, 1994 to May, 1995. The opposite party shall also pay further sum of Rs. 2,500/- as costs of this complaint. A copy of this order be communicated to both the parties. Complaint allowed with costs.