

(1991) 01 NCDRC CK 0030

In the National Consumer Disputes Redressal Commission

SRI RABI NARAYAN MOHANTY

APPELLANT

Vs

RABINDRANATH RATH

RESPONDENT

Date of Decision : 23-01-1991

Acts Referred:

Citation : 1991 2 CPJ 352

Hon'ble Judges : S.C.Mohapatra , R.N.Panigrahi , J.Patnaik J.

Final Decision : Petition partly allowed

Judgement

1. A voluntary organisation registered under the Societies Registration Act is the complainant. Being informed by a Consumer named Sri Banga Naik of Jeypore about the irregularities and malpractices in distributing essential commodities under "Public Distribution System" under taken by the State Government in Koraput district, he proceeded there and surveyed the working of P.D.S. there in remote interior of the district and found the system and practice highly defective. He found irregularities of Corporation vehicle in coming to distribute essential goods, malpractice in weights. He found one defective C.I. weight of 500 grams. With Sri Rath, the opposite party who is a Sales Assistant of Civil Supplies Corporation who alleged to have been using it in selling in Pradhaniguda hat. The complainant took it from the opposite party and obtained a hand receipt from him and supplied a right C.I. weight of 500 grams.

2. OPPOSITE party in its written statement denied all allegations of the complainant and produced a series of affidavit from some consumers of Dasbantpur in support of smooth working of P.D.S. under the Corporation. OPPOSITE party denies the use of defective C.I. weight by the Sales Assistant Sri Rath and denies any malpractice and irregularities. State Government have introduced the "Mobile Fair Price Shop" scheme for distribution of essential commodities by the Civil Supply Corporation in I.T.D.P. districts of State Government covering 21 Project areas and 118 Blocks through delivery vans. These areas are most remote tribal areas. There should not be any irregularities in this beneficial scheme of the State Government. The Civil Supplies Officer

should act more promptly and should be more vigilant in his duty.

Opposite party No. 1 denies to have used the defective C.I. weight though it was found with him. He states that due to jerking the load has come out of the weight. But the broken lead was not there in the van. It implies that he was going to use it if the same would not have been detected by the opposite party. But it was not proved that he had already used it. Complainant purchased a new measure at Rs. 8/- and handed over the same to opposite party No. 1. In this case, opposite party No. 1 is to pay Rs. 8/- to the complainant which is the price of the 500 grams C.I. weight which he bought from the store and annexed a receipt with his complaint.

3. IN the result, complaint petition is allowed in part and opposite party No. 1 is directed to send Rs. 8/- (Rupees eight only) to the complainant by Money Order within one month of receipt of this order. No costs. Petition partly allowed.