
(2008) 01 NCDRC CK 0036

In the National Consumer Disputes Redressal Commission

State Bank of India

APPELLANT

Vs

GHANSHYAM VERMA

RESPONDENT

Date of Decision : 18-01-2008

Acts Referred:

Citation : 2008 2 CPJ 395

Hon'ble Judges : N.K.Jain , Pramila S.Kumar J.

Final Decision : Appeal partly allowed

Judgement

1. HEARD. It was a case where the appellant-Bank failed to ensure the collection of amount of cheque deposited by the respondent with the appellant. The cheque for Rs. 25,000 was drawn on Bank of India, Branch Kayatha, District Ujjain and deposited with the appellant-Bank for collection by the respondent. It appears that the cheque sent by appellant to said drawee Bank did not reach its destination and no action seems to have been taken by the appellant. The appellant to ensure the collection of cheque or its return to the complainant. The Bank was unable to demonstrate as to what happened to the said cheque. The deficiency on the part of the appellant-Bank was writ large. However, the Forum below has awarded the entire cheque amount Rs. 25,000 to respondent with compensation Rs. 2,000 and cost of Rs. 1,000.

2. IT is now too well-settled that in such cases instead of awarding amount of cheque adequate compensation should be awarded to the customer. In our considered view, the payment of compensation Rs. 10,000 inclusive of cost of litigation will meet the ends of justice. We accordingly allow the appeal in part, set aside the impugned order and instead direct the appellant-Bank to pay to respondent-complainant Rs. 10,000 as compensation and cost of litigation. Appeal partly allowed.