

(2002) 03 NCDRC CK 0044

In the National Consumer Disputes Redressal Commission

SUB DIVISIONAL ENGINEER, TELECOM-MUNIFICATION
DEPARTMENT

APPELLANT

Vs

GULAB CHANDRA PANDEY

RESPONDENT

Date of Decision : 13-03-2002

Acts Referred:

Citation : 2003 1 CPJ 438

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

Final Decision : Appeal dismissed

Judgement

1. THIS is an appeal against the judgment and order dated 26.4.2001 passed by District Consumer Forum, Chitrikoot, in Complaint Case No. 97/2000. Briefly stated the facts of the case are that the complainant is subscriber of telephone No. 44378 without any STD facility. The complainant received a bill for the period of 15.5.1999 to 31.9.1999 for Rs. 6,658/-. On account of defect in telephone exchange machine this bill of excessive amount was received. The complainant made several complaints to the telephone department but nothing was done. Thereafter, the complainant filed the complaint praying for correction of the bill as well as damages.

2. THE opposite party in its written version has alleged that the telephone of complainant has facility of talking in nearby villages namely, Shankargarh, Mau, Karvi, Manikpur, Rajapur, Baberu and other adjoining rural areas. THE bill was issued on the basis of meter reading and the same is correct. The learned District Forum after considering the facts of the case came to the conclusion that there was deficiency on behalf of opposite party hence it directed that bill for 500 calls be sent to the complainant and after receiving the bill the complainant will make the payment of the same within 15 days.

Aggrieved against this judgment and order the opposite party has come in appeal.

3. WE have heard the Counsels for the parties. The only dispute in this case is

whether the bill sent to the complainant is inflated bill or not. The complaint was made to the telephone department by the complainant but nothing was done. A perusal of the said complaint goes to show that instead of expiry of every 180 seconds the beep was heard after a lapse of every 25 seconds. This means that beep which should have been heard after 180 seconds was heard only after 25 seconds and a call was registered after every 25 seconds instead of three minutes. This shows that there was some defect in the telephone for which the complainant made complaint to the telephone department but nothing was done. WE find that the District Forum was perfectly correct in coming to the conclusion that the bill issued to complainant was inflated bill. The appeal is liable to be dismissed. ORDER The appeal is dismissed. The judgment and order passed by District Consumer Forum are confirmed. Let compliance of the order be made within a period of two months from the date of this order. The appellant will pay a sum of Rs. 2,000/- to the respondent towards cost. Let copy as per rules be made available to the parties. Appeal dismissed.