

(2001) 01 NCDRC CK 0061

In the National Consumer Disputes Redressal Commission

V.G. KODGIRE

APPELLANT

Vs

Divisional Controller, M.S.R.T.C.

RESPONDENT

Date of Decision : 16-01-2001

Acts Referred:

Citation : 2002 2 CPJ 274

Hon'ble Judges : M.S.Rane , V.K.Data J.

Final Decision : Appeal dismissed

Judgement

1. NONE present on behalf of the appellant. Mr. Prakash Kadam, Advocate for the respondent. Although this appeal has been filed in the year 1998, it appears that no steps were taken by the appellant to pursue the matter further. It is noticed that the appellant also did not remain present before the Commission despite number of notices. The notice of today's hearing has also been served upon the appellant but he is not present. In the circumstances, we proceed to dispose of this appeal on consideration of the material available before us including after perusal of the order impugned in this appeal. The appellant herein is the original complainant in C. No. 42/1998 on the file of District Forum, Parbhani and he has filed this appeal against the order dated 9.10.1998 of that Forum dismissing his complaint.

2. IT is noticed that the complainant was travelling in a bus of the respondent, which was, according to the complainant, semi-luxury bus. He complained that on the date of journey i.e. on 15.2.1998 during the night when he got into the bus of the respondent, there was no comfortable seat made available to him. Consequently, he fell ill. Hence he made a complaint before the District Forum. However, he did not adduce any evidence to substantiate his grievance. Therefore, the District Forum proceeded to dismiss the complaint as complainant having failed to prove his claim therein. On careful perusal of the order impugned in this appeal, we are of the view that the District Forum was justified in its assessment and finding to the effect that the complainant failed to prove his claim as made in the complaint. We are in agreement with the findings. No

merits. The appeal stands dismissed. Office shall send the copy thereof to the parties. No order as to cost. Appeal dismissed.