

(2008) 01 NCDRC CK 0087

In the National Consumer Disputes Redressal Commission

VINEET KHURANA

APPELLANT

Vs

BAJAJ TRAVELS PVT LTD

RESPONDENT

Date of Decision : 03-01-2008

Acts Referred:

Citation : 2008 0 CTJ 263 : 2008 1 CPJ 493

Hon'ble Judges : K.S.Gupta , P.D.Shenoy J.

Final Decision : Revision Petition dismissed

Judgement

1. -IN this revision challenge is to the order dated 11. 7. 2007 of Consumer Disputes Redressal Commission UT, Chandigarh dismissing appeal against the order dated 11. 7. 2007 of a District Forum whereby the complaint was dismissed.

2. IT was alleged that the petitioner/complainant for himself, his wife and two children booked air tickets of Emirates Airlines-respondent No. 2/opposite party No. 2 through respondent No. 1/opposite party No. 1 from Dubai to New Delhi on 7. 7. 2005. Departure time of flight No. EK-512 from Dubai was 10. 25 p. m. (Dubai Time). Petitioner and his above family members reached Dubai International Airport and reported at the check-in counter No. 104-105 at 9. 27 p. m. but the petitioner was told that the flight was closed and he and his family members were not permitted to board the flight though they had the confirmed tickets. Thus, alleging deficiency in service complaint seeking certain reliefs was filed which was contested by both the respondents. Only the plea taken in the written version filed by respondent No. 2 need be noticed for deciding this revision. It was admitted that the schedule time of the flight from Dubai to Delhi was 10. 25 p. m. but it was stated that the petitioner failed to report in time as he was stuck in a traffic jam. It was denied that the petitioner reached the check-in counter of respondent No. 2 at 9. 27 p. m. and was told by the staff that the flight had been closed as alleged. It was stated that it was clearly stipulated on the air ticket Annexure-R 1/1 that economy class passengers should report for check-in atleast three hours before the flight time and normally passengers

travelling from Dubai to Delhi were required to check-in atleast two hours before the flight time. Petitioner reached the airport much after the counter was closed. Ms. Mehnat Moharam, official of the respondent told the petitioner to get re-booked on the next available flight and the petitioner and his family were booked on a flight to Delhi for 9. 7. 2005 as per the availability. It was denied that there was any negligence/deficiency in service on the part of replying respondent. Though in the air ticket Annexure-R 1/1/, it is stipulated that the passengers travelling in economy class should report at least three hours before the flight time but in the written version, the respondent No. 2 has alleged normally passengers travelling from Dubai to Delhi were required to check-in at least two hours before the flight time. Admittedly, departure time of the flight was 10. 25 p. m. Assuming that the petitioner reported at the check-in counter at 9. 27 p. m. , he was not in time. Respondent No. 2 alleged that the flight was closed. Having heard Mr. Manish Jain for the petitioner, in the said backdrop, we do not find any illegality or jurisdictional error in the orders passed by Fora below warranting interference under Section 21 (b) of Consumer Protection Act, 1986. Revision is, therefore, dismissed. R. P. dismissed.