

(2003) 07 NCDRC CK 0120

In the National Consumer Disputes Redressal Commission

V.K.NAYAR

APPELLANT

Vs

Ghaziabad Development Authority

RESPONDENT

Date of Decision : 18-07-2003

Acts Referred:

Citation : 2003 3 CPJ 130

Hon'ble Judges : D.P.Wadhwa , B.K.Taimni J.

Final Decision : Revision Petition dismissed

Judgement

1. PETITIONER was the complainant before the District Forum where he had filed a complaint praying to know the basis, on which price of the flat has been increased as also the rationale for Rs. 3,048/- levied as lease rent. District Forum after hearing the parties dismissed the complaint on the grounds that actual price indicated was tentative and additional amount of Rs. 15,900/- was sought after finally working out the price of the flats. Consumer Forum, in any case, cannot go into the question of price. Lease rent needs no clarification. Since the petitioner is not coming forward to take possession of the flat despite repeated notices, Chowkidari charges are also in order. An appeal filed by the petitioner before the State Commission was dismissed.

2. PETITIONER is absent despite notices, we have perused the material on record and find that even before us following prayers are made : (a) the detail of the additional demands; (b) the detail of further terms and conditions; (c) the waiver of Chaukidara expenses.

It is admitted position that the petitioner was allotted a flat on 17.11.1993 under Indra Puram Scheme, in a draw held on 20.10.1993. Letter of possession was issued on 15.9.1995, through which the respondent also asked for additional payment of Rs. 15,900/- plus Rs. 3,048 as lease rent. Original price was tentative thus escalation could be made at the time of finalising of accounts which is what has been done in this case. Petitioner's request to know the basis of escalation is not sustainable. This demand is neither, as per terms of the Brochure attached nor can the Consumer Forum go into the question of pricing.

Lease rent is as per terms of Brochure.

Since the possession has been offered within two years of allotment and demands being as per terms of Brochure, we see no merit in the prayers made. This Revision Petition lacks merit - hence dismissed. No order as to costs. Revision Petition dismissed.