

(1999) 06 GAU CK 0023

Gauhati High Court

Case No: Consumer Appeal No. 44 of 1995

Union of India

APPELLANT

Vs

Anil Baroi

RESPONDENT

Date of Decision: June 19, 1999**Acts Referred:**

- Consumer Protection Act, 1986 - Section 2(1)(g), 2(1)(g)

Citation: (1999) 3 GLJ 320 : (1999) 2 GLT 11**Hon'ble Judges:** J.N.Sarma, J and D.Dutta, J**Bench:** Full Bench**Advocate:** G.C.Nath, Ananta Goswami, Advocates appearing for Parties

Judgement

1. Heard Mr. GC Nath, learned counsel for appellant and Mr. Ananta Goswami, learned counsel for respondent. We have looked to the judgment of the learned District Forum at Sonitpur passed in GPA Case No. 11 of 1994 on 2.6.95. The learned District Forum allowed the claim to the extent of Rs. 1,7507 being the value of 7 nos money orders at the rate of 2507 each which was not delivered by the Postal authority. There was also an award for compensation of Rs.3,000 and cost of Rs.500 After hearing the learned counsel of both sides, we feel that the ends of justice shall be met if the judgment of the District Forum is modified as follows:

(i) The appellant Union of India shall be liable to pay an amount of Rs. 1,750 the value of 7 nos. money orders not received by the respondent.

(ii) Rs. 91/ being the commission for the money order;

(iii) Rs. 1,000 as compensation.

(iv) No costs.

(v) All these money shall be deposited by the Union of India before the learned District Forum at Sonitpur, Tezpur in connection with GPA Case No. 11 of 1994

within the period of one month from the date of receipt of the order failing which the amount shall carry interest at the rate of 18% from the date when it became due.

2. With this observation, this appeal is partly allowed. No costs.