

(2003) 07 NCDRC CK 0067

NATIONAL CONSUMER DISPUTES REDRESSAL COMMISSION

Case No: None

KANDULA
VENKATESWARA RAO

APPELLANT

Vs

P.Govinda Rao

RESPONDENT

Date of Decision: July 30, 2003

Citation: 2003 4 CPJ 338

Hon'ble Judges: P.Ramakrishnam Raju , Mamata Lakshmanna J.

Final Decision: Appeal disposed of

Judgement

1. THE District Forum rejected the complaint even before issuance of notice to the opposite parties on the ground that the material filed along with the complaint is not sufficient to take the complaint on file. This order is erroneous. THE question of adducing evidence will arise after notice is served on the respondents and after they filed their written version. In case the opposite parties admit the claim of the complainants, the complainants need not adduce any further evidence. THEREfore, insisting that all the evidence should be filed along with the complaint is unwarranted. This order in our view cannot stand. It is accordingly set aside even before notice as the order was passed without notice to other side. Further the order is not signed by other two Members. Hence the order is not valid in the eye of law. On this count also the order has to be set aside. Accordingly the order is set aside and the matter is remitted back to the District Forum for fresh disposal and it will dispose of the same in accordance with law. Appeal disposed of.