

**(2000) 04 NCDRC CK 0009**

**NATIONAL CONSUMER DISPUTES REDRESSAL COMMISSION**

**Case No:** None

DIVISIONAL ENGINEER,  
CALCUTTA TELEPHONES

APPELLANT

Vs

PRIYA SANKAR BOSE

RESPONDENT

**Date of Decision:** April 19, 2000

**Citation:** 2000 2 CPJ 331 : 2000 3 CPR 323

**Hon'ble Judges:** S.C.Datta , D.Karformas , Shilpi Majumder J.

**Final Decision:** Appeal dismissed

**Judgement**

1. HEARD learned Lawyers for both sides. By the impugned order dated 2.8.1996 the Forum directed payment of compensation of Rs. 5,000/- to the complainant on the ground that the opposite party were guilty of deficiency in service causing tremendous harassment etc. to the complainant. The appellant feels aggrieved by the order and approached the Commission in appeal. The learned Counsel appearing for the appellant submits that there had not been any deficiency in service on the part of the Department. He submits further that the complainant has failed to establish the fact that the Department did not respond to their complaint to set the telephone in question in order. The learned Counsel appearing for the respondent vehemently disputes made by the learned Counsel for the appellant. He submits that ever since the telephone was installed at his residence in the year 1993, it remained dead for 17 months and inspite of repeated complaints it was not put in order causing harassment and mental agony to him and his family members. It appears that the Department granted rental rebate to the complainant for certain periods for which the telephone remained dead. It is futile to urge that the complainant would not take steps to put the telephone in working condition. Evidently the telephone remained out of order for 17 months at a stretch.

2. THE Forum noticed the deficiency in service on the part of the Department and on a consideration of circumstances we find nothing to disagree.

The Forum also directed the Chief General Manager, Calcutta Telephones to institute departmental enquiry and to fix responsibility for such lapses in restoring the telephone of the complainant. It has been further ordered by the Forum that the compensation to be paid by the Department would be coverable from the employees/staff who were found responsible for this lapse. As noted earlier, we find nothing wrong in the order and we have no hesitation to dismiss the appeal which we hereby do. Order

The appeal be dismissed on contest. Appeal dismissed.