

(1995) 05 NCDRC CK 0040

NATIONAL CONSUMER DISPUTES REDRESSAL COMMISSION

Case No: None

DISTRICT TELECOM ENGINEER,
TELEPHONE DEPARTMENT

APPELLANT

Vs

SEVA RAM

RESPONDENT

Date of Decision: May 2, 1995

Citation: 1996 3 CPJ 236

Hon'ble Judges: N.C.Sharma , Firoza Bano J.

Final Decision: Appeal dismissed

Judgement

1. THIS appeal has been filed by the District Telecommunication Engineer, Kota against the order of the District Forum, Kota dated 22.5.92. Although the Counsels for the parties were present on 13.2.95, but none appeared on 17.4.95 and today. The complainant-respondent had filed a complaint in the District Forum, Kota alleging that the telephone bill for local calls for the period from 16.9.90 to 15.11.90 received by him with respect to his telephone No. 23489 was inflated and excessive. He made a complaint regarding this in the Telecommunication Department. According to the complainant, the inflated telephone bill was due to defect in the meter.

2. THE opposite party-appellant in its version mentioned that upon receipt of the complaint from the complainant, necessary investigation was carried out and no defect in the meter was found.

It is clear from the record of the District Forum that the opposite party-appellant did not produce any investigation report regarding the meter. It has not at all been established by it that investigation was carried out upon receiving a complaint from

the complainant and no defect in the meter was found. When a consumer makes a complaint regarding excessive telephone billing, the Telecommunication Department has to investigate his complaint. That was not done in the instant case.

The complainant proved by documentary evidence in the shape of previous telephone bills since 16.9.86 to 15.9.90 that he never received telephone bill of local calls exceeding an amount of Rs. 232/-. This is very clear from at least six or seven preceding telephone bills produced by the complainant. The bill in dispute was with respect to an amount of Rs. 2388/- for local calls. Clearly this telephone bill was very much excessive. It was ten times the preceding telephone bills. The Telecommunication Deptt did not carry out any investigation. There was thus deficiency in service. The District Forum rightly granted relief to the complainant-respondent.

3. THIS appeal has no merit in it and it is hereby dismissed. Appeal dismissed.