

**(1993) 09 NCDRC CK 0024**

**NATIONAL CONSUMER DISPUTES REDRESSAL COMMISSION**

**Case No:** None

POSTMASTER, DAKGHAR, T.T.  
NAGAR

APPELLANT

Vs

RAVINDRA PRASAD TIWARI

RESPONDENT

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**Date of Decision:** Sept. 25, 1993

**Citation:** 1994 2 CPJ 234

**Hon'ble Judges:** V.S.Kokje , M.L.Tiwari J.

**Final Decision:** Appeal allowed

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**Judgement**

1. THIS is an appeal against grant of compensation of Rs. 2000/- to the complainant for loss occasioned by non-delivery of registered letter by the Post Office.

2. THE complainant desirous of competing for State Civil Services Examination, 1988-89, sent his application form through registered post on 3.12.1988. According to the complainant, this registered letter was not delivered and consequently, he could not compete in the Examination.

The took a position that since the record of delivery of registered letters is destroyed after one year under Departmental Rules, it is not possible for them to verify whether the letter was delivered or not. The District Forum found that the registered letter was sent but was not delivered and granted a compensation of Rs.2000/-

On perusal of record it appears that the complaint was filed on 7.7.1992 claiming compensation for non-delivery and loss of registered letter sent on 3.12.1988. There is no explanation as to why the claim was not filed within a reasonable time and why it was filed after more than three and half years. Specially, in view of Rules 25 and 26

in Telegraph Manual Part VI under which the record of registered letters is destroyed after a year, the complaint is hopelessly belated. The District Forum has clearly erred in entertaining the complaint after such a long delay. Even otherwise, compensation of Rs.2000/- cannot be justified on the basis of material put before the Forum. We, therefore, allow this appeal and set-aside the order of the District Forum and dismiss the complaint. There shall, however, be no order as to costs. Appeal allowed.