

(2003) 11 NCDRC CK 0044

NATIONAL CONSUMER DISPUTES REDRESSAL COMMISSION

Case No: None

THAR AANCHALIK
GRAMEEN BANK

APPELLANT

Vs

CHAIN SINGH

RESPONDENT

Date of Decision: Nov. 27, 2003

Citation: 2004 2 CPJ 16

Hon'ble Judges: M.A.A.Khan , Ratan Prakash J.

Final Decision: Appeal dismissed

Judgement

1. HEARD. This appeal is barred by limitation by 174 days. The explanation offered for this inordinate delay is that the appellant came to know of the impugned order on 16.5.2003. The impugned order had been rendered on 5.12.2003 and reply to the complaint had also been filed by the appellant. It was for the appellant to have kept itself aware of the proceedings of the complaint before the Forum. We are thus not satisfied with the explanation offered on behalf of the appellant vide decision of the Supreme Court in the case of P.K. Ramachandran v. State of Kerala and Anr., AIR 1998 SC 2276. The application is rejected and appeal is liable to be dismissed on the ground of limitation.

2. ON merits also we find no case for the benefit of the appellant. With the loan advanced by the appellant bank, the respondent complainant had purchased a cow. The appellant had got the cow insured with the United India Insurance Co. at Jaisalmer. The cow died during the currency of the insurance policy. The claim submitted by the complainant to the Insurance Company was repudiated. Such repudiation has not been approved of by the Forum. It was observed by the Forum that despite writing letters to the appellant bank and the Insurance Co., the insurance policy was not produced before it. The Forum has

thus rightly held that the appellant and the Insurance Company had rendered deficient services to the complainant. We agree with the findings and conclusions recorded by the Forum. In the result, the appeal is dismissed on the ground of limitation as also on merits. Appeal dismissed.