

(1993) 04 NCDRC CK 0035

NATIONAL CONSUMER DISPUTES REDRESSAL COMMISSION

Case No: None

SUBASH CHANDRA SAHOO

APPELLANT

Vs

General Manager, District
Industries Centre

RESPONDENT

Date of Decision: April 3, 1993

Citation: 1993 3 CPJ 1505

Hon'ble Judges: S.C.Mohapatra , R.N.Panigrahi , J.Patnaik J.

Final Decision: Complaint disposed of

Judgement

1. THIS is a complaint on account of deficiency in banking service.

2. COMPLAINANT is an unemployed graduate. He applied for loan which was recommended by District Industries Centre. His application for loan not having been considered by the bank, this complaint has been filed.

Mr. S.K. Nayak No. 1, learned Counsel for the bank submitted that complainant has been called upon to furnish certain details and such details not having been furnished, application could not be considered. It is submitted by learned Counsel for the complainant that all details have been given. If we accept submission of both parties decision not to advance loan on the materials available would not amount to deficiency in service since bank is the final authority to consider whether such loan would be advanced. When bank has given opportunity and on the documents supplied, it decided that it is not possible to accommodate complainant, we should not give a direction. However, on our calling upon Mr. Nayak that in case complainant furnishes the documents whether the loan application would be considered afresh, Mr. Nayak submitted that on the particulars being submitted

bank would consider the application within three weeks and shall intimate the result to the complainant within one week thereafter. We are inclined to hold that bank should give a fresh list of particulars to complainant within one week from today and on complainant furnishing the particulars as per list or indicating which particulars have already been furnished and furnishing the balance, bank shall consider the loan application within period indicated by Mr. Nayak. Question of deficiency in service, negligence and suffering shall arise thereafter and complainant can approach the available redressal agency if aggrieved by the decision communicated. If complainant would desire, he shall be given opportunity to explain positions in his favour for sanction of loan and deciding authorities of the bank consider the same.

In result, complaint is disposed of with the aforesaid direction. Complaint disposed of.