
SUB-DIVISIONAL OFFICER (PHONES) Vs Babu Khan

None

Court: NATIONAL CONSUMER DISPUTES REDRESSAL COMMISSION

Date of Decision: July 27, 2001

Citation: 2002 2 CPJ 124 : 2003 1 CLT 86

Hon'ble Judges: K.C.Bhargava , D.D.Bahuguna , Rachna J.

Final Decision: Appeal dismissed

Judgement

1. THIS is an appeal against the judgment and order dated 1.8.1992 passed by District Consumer Forum, Aligarh in Complaint Case No.

342/1992.

2. THE facts of the case stated in brief are that the complainant was having telephone No. 26163. THE bills in respect of this telephone upto

1.4.1991 were within normal limits but the bill dated 1.6.1991 and 1.8.1991 were sent wrongly as the first bill was of Rs. 1,585/-. THE

complainant by a letter dated 10.6.1991 asked the opposite party to correct the same which was reduced to Rs. 1,035/-. THE complainant also

protested against this bill but his telephone was disconnected on 30.7.1991. THEreafter bill No. Nil dated 1.8.1999 for Rs. 4,382/- was also

received. When the complainant protested, it was reduced to Rs. 1,082/- and the rest amount was taken as disputed amount. Further on

21.9.1991 a note was sent to the complainant demanding Rs. 2,437/-. THEreafter another demand note dated 27.9.1991 was sent for Rs.

3,300/-. THEreafter even after the disconnection of the telephone a bill of Rs. 1,319/- dated 1.10.1991 was sent. In this way the complainant is

being harassed on account of wrong bills. THE complainant several times requested for disconnection of STD facility.

The opposite party denied allegations of the complainant and alleged that all the bills are correct.

The learned District Forum, after considering the evidence on record came to the conclusion that the bills have been issued for excess amount and,

therefore, issued directions for correction of bills. It further directed that the rentals for the telephone was not to be charged till its restoration. It

also directed to immediately disconnect the STD facility.

3. AGGRIEVED against the order of the learned District Forum, the opposite party has come in appeal and has challenged the correctness of the

order passed by the Forum.

Learned Counsel for the parties have been heard. Learned Counsel for the appellant has argued that the bills which have been issued are correct.

Hence the learned District Forum has wrongly come to the conclusion and reduced the bills. According to learned Counsel the telephone was

provided with STD facility. A perusal of judgment will go to show that constantly the bill of the complainant came for heavy amount. Even a bill

dated 1.10.1991 for a sum of Rs. 1319/- was issued even though the telephone was disconnected on 30.7.1991. If a telephone connection had

already been disconnected on 30.7.1991 how a bill could have been issued for 1st of October, 1991 for a sum of Rs. 1,319/-. This bill has been

wrongly issued after the disconnection of the telephone. This goes to show that the bills have been issued by the Department wrongly and the

learned District Forum has rightly come to the conclusion that the bills are not correct and it rightly reduced the same. There is no need for

interfering in the judgment of the learned District Forum. The appeal is liable to be dismissed. ORDER The appeal is dismissed and the judgment

and order of the learned District Forum are confirmed. The appellant shall pay a sum of Rs. 2,000/- as cost of the appeal. Compliance of the order

be made within a period of two months from today. Let copy as per rules be made available to the parties. Appeal dismissed.