
MAYA DEVI KESHWANI Vs M.P.Housing Board

None

Court: NATIONAL CONSUMER DISPUTES REDRESSAL COMMISSION

Date of Decision: Aug. 4, 2003

Citation: 2003 3 CPJ 161

Hon'ble Judges: D.P.Wadhwa , B.K.Taimni , K.S.Gupta J.

Final Decision: Revision Petition dismissed

Judgement

1. PETITIONER was the complainant before the District Forum. 1. Briefly stated, the facts of the case are that the complainant was allotted a

house on 14.6.1999 whose estimated cost was Rs. 5,19,000/- and payment was as per Schedule under a Hire Purchase Scheme. While

communicating the final cost, it was increased by Rs. 1,47,000/-. On seeing the house and on finding the house having certain defects, they were

brought to the notice of the respondent. After removing the defects, possession of the house was handed over on 22.9.2001. Complainant

objected to the enhanced price of the house as also interest added to the instalments till the delivery of the possession. It is in these circumstances

that a complaint was filed by the petitioner before the District Forum alleging deficiency in service. District Forum after hearing the parties partly

allowed the complaint. Not being satisfied with the reliefs granted by the District Forum, the petitioner filed an appeal before the State

Commission, which was dismissed on merits, hence this Revision Petition.

2. WE heard the learned Counsel for the petitioner and perused the material on record. Prayers of the petitioner related to grant of interest for the

period money was with the respondent, refund of Rs. 1 lakh spent by him on repairs, reduction of interest from 16.5% to 12% p.a. and direction

to the respondent not to charge the enhanced price. House was allotted in June, 1999, possession was delivered in September, 2001, almost

within two years. Consumer Forums are giving this much time for construction of the houses. Hence no interest can be granted to the petitioner on

the deposited amount. Repairs were carried out by the respondent and both the lower Forums were satisfied in this fact - hence no merit in the

claim of Rs. 1 lakh allegedly spent on repairs by the petitioner. Interest on instalments admittedly is as per Hire Purchase Agreement - hence we

find no merit in this prayer. Legal position is that the Consumer Forums cannot go into the question of pricing. No material is on record to support

the contention that there was any ceiling on price escalation.

We see no merits in any of the grounds of revision raised before us and see no reason to interfere in the orders passed by the District Forum and

affirmed by the State Commission. This Revision Petition lacks merit and is dismissed. No order as to costs. Revision Petition dismissed.