

(2002) 07 NCDRC CK 0037

NATIONAL CONSUMER DISPUTES REDRESSAL COMMISSION

Case No: None

AMRIK SINGH

APPELLANT

Vs

GHUNGROO

RESPONDENT

Date of Decision: July 29, 2002

Citation: 2003 1 CPJ 431

Hon'ble Judges: Lokeshwar Prasad , Rumnita Mittal J.

Final Decision: Appeal dismissed

Judgement

1. THE present appeal, filed by the appellant under Section 15 of the Consumer Protection Act, 1986, came up for hearing before this Commission at the admission stage on 8th September, 1999. On the abovesaid date, after hearing the learned Counsel for the appellant, this Commission has passed the following orders/directions :

"We have heard the learned Counsel for the appellant and have also carefully gone through the documents/material on record. Issue notice to the respondents, returnable on 8.10.1999. Service dasti also."

2. IN terms of the above orders, the appellant was required to serve the respondents dasti also. Despite specific directions, no steps were taken by the appellant to serve respondent No. 2 dasti. On 16th April, 2000, the appellant was again given a specific direction to serve respondent No. 2 dasti and the present appeal was adjourned to 9th November, 2001. On 9th November, 2001, the appellant neither took any steps for effecting Dasti service on respondent No. 2 nor even cared to appear before this Commission. IN the interest of justice even on 9th

November, 2001, no adverse orders were passed and the matter was adjourned for today, with the directions that a notice in terms of order dated 16th April, 2001, be issued for today. Today the position remains the same. The appellant has not taken any steps for serving the respondent. The explanation given by the learned Counsel for the appellant for the above lapse is far from satisfactory. IN the presence of the above facts, this Commission is left with no other alternative but to dismiss the present appeal, filed by the appellant, on grounds of non-prosecution. Accordingly, the present appeal, filed by the appellant, is directed to be dismissed on grounds of non-prosecution.

A copy of this order, as per statutory requirements, be forwarded to the parties free of charge and also to the concerned District Forum and thereafter the file be consigned to the Record Room. Appeal dismissed.