

(1998) 12 BOM CK 0086

Bombay High Court

Case No: Misc. Appeal No. 459-A of 1998

Rashtriya Upbhokta Sahakari
Sanstha

APPELLANT

Vs

Jayantilal Dwarkadas

RESPONDENT

Date of Decision: Dec. 14, 1998

Acts Referred:

- Consumer Protection Act, 1986 - Section 2(1)

Citation: (1999) 4 BomCR 78

Hon'ble Judges: Smt. Rajyalakshmi Rao, J; G.R. Bedge, Member; A.A. Hable, President

Bench: Full Bench

Judgement

@JUDGMENTTAG-ORDER

1. Heard Mr. Gawande, for the appellant, representative on behalf of the National Forum for Consumer Education, Akola. The grievance before the District Forum was that the complainant had purchased from the opposite party one number of "Bigen" Hair Dye and two numbers of tooth brushes for a total consideration of Rs. 49/-. This payment was made by voucher. The allegation was that the opposite party, trader charged 50 ps. in excess in respect of each article. Since the matter was filed before the Redressal Forum, the complainant claimed further amount of Rs. 500/- towards damages and Rs. 400/- towards cost. The District Forum considered to the grievance of the complainant and directed refund of Rs. 1.50 ps. being the excess amount at the rate of 50 ps. for each article. Shri Gawande, wants us to appreciate that such un-fair trade practices are purported by all the traders on the common consumers, and that a serious view of the situation should be taken. Whereas, we have all sympathies for Shri Gawande who is campaigning on behalf of the consumers, we are afraid that such petty matters are being put for consideration of the State Commission.

2. We do not think it is worth while wasting our time on such a claim. All the same, we are of the view that the Redressal Forum before whom such complaints are made do take into consideration the hardships to the consumers, by awarding reasonable compensation. However, so far as this case is concerned, we feel, since the right of the consumer has been vindicated by the Redressal Forum, no further relief can be granted. Accordingly, we dismiss the appeal in limine. The copy of this judgment be circulated to all the District Forums for information and further necessary action.