

**IN THE COURT OF SOHAIB AHMED RUMI
DISTRICT & SESSIONS JUDGE/PRESIDING OFFICER
DISTRICT CONSUMER COURT, GUJRANWALA
Case No. 188/09**

Inayat Ali S/o Muhammad Ali R/o Tatlay Aali Tehsil Noshehra Virkan District
Gujranwala (Complainant)

Vs.

Manager, M/S Global Mobility (Pvt.) Ltd., F Block, Trust Plaza, Gujranwala
(Respondent)

**COMPLIANT UNDER SECTION 25 OF THE PUNJAB CONSUMER
PROTECTION ACT, 2005**

Date of institution : **01-07-09**

Date of decision : **17-10-09**

JUDGMENT:

Inayat Ali S/o Muhammad Ali has filed this complaint contending that he obtained a PCO connection from the respondent's company in December 1999. Apart from other charges he deposited Rs. 10000/- as security. Later on PCO was winded up by the company. Therefore complainant deposited telephone set with the respondent's company in October, 2006. However, the amount of security was not paid by the respondent to the complainant. It was prayed that the security alongwith 15% profit as well as Rs. 100000/- as damages may be awarded to the complainant.

The case was forwarded to this Court by the District Consumer Protection Council Gujranwala. The respondent after appearing in the Court absented himself so he was ordered to be proceeded exparte. The complainant appeared in the witness box as PW1 and produced Iqbal Masih S/o Kushi Masih as PW2.

I have gone through the record and heard the arguments.

Complainant as PW1 stated that amount of Rs. 40000/- was received by the respondent as security which is recoverable. PW2 is silent about the amount of security when appeared in the witness box. In para No.1 of the complaint complainant has stated that he paid Rs. 10000/- as security to the respondent but in para No.2 of the complaint this amount has been mentioned as Rs. 20000/-. No receipt or any other record showing the deposit of security amount has been produced in the evidence by the complainant. Irrespective of all this self contradictory evidence, what ascertainable from the record is that complainant's case is for recovery of security deposit which does not fall within the jurisdiction of District Consumer Court, therefore the complaint is returned being corum non judice for presenting it before a proper forum. File be consigned to the record room after its due completion.

Announced:

17-10-09

(SOHAIB AHMED RUMI)
District & Sessions Judge/
Presiding Officer
District Consumer Court,
Gujranwala.