

**In the Court of Shahzad Pervaiz Abbasi, District & Sessions Judge / Presiding  
Officer, District Consumer Court, Multan**

**Malik Muhammad Faisal Hassan S/o Malik Imam Bakhsh , Caste Malik, R/o  
Takbeer Street House No. 3923/C/8-M, Mohallah Aymanabad, Multan.**

**(Claimant)**

**Versus**

- 1. Mobilink Pakistan through its President and Chief Executive Officer, R. Rashid Khan, Head Office Mobilink House No. 1-A, Kohistan Road, F-8 Markaz, Islamabad, Pakistan.**
- 2. Mr. Ali Raza Mehdi Vice President Hr, Administration Security, Office Mobilink House No. 1-A, Kohistan Road, F-8 Markaz, Islamabad, Pakistan.**
- 3. Mr. Tariq Rashid, Chief Information Officer, Office Mobilink House No. 1-A, Kohistan Road, F-8 Markaz, Islamabad, Pakistan.**
- 4. Mr. Adnan Haider Manager Service Center Mobilink, Multan Arcade, Kutchary Road, Multan.**

**(Respondents)**

Case No. 122/2009  
Date of Institution 04.11.2009.  
Date of decision 12.5.2010

**ORDER:**

Brief facts of the case mentioned in the petition titled above are that the petitioner Malik Muhammad Faisal Hassan purchased two Mobilink sims from a Franchise of Mobilink in the year 2000-2001 bearing number 0300-9632442 and 0300-9634194. These numbers remained under his use up till that time. The Mobilink No. 0300-9632442 had been given to Malik Imam Bakhsh father of the petitioner but on 6<sup>th</sup> October 2009 the sim was blocked. The petitioner remained in BVH Bahawalpur due to illness of his sister. Due to this blockage of sim in question the petitioner and his family suffered mental agony which could not be mentioned in words. On 7<sup>th</sup> October 2009 the petitioner called to Mobilink helpline and made a complaint where he was

told that the sim in question has been reissued with the complainant and that original sim has been lost, while sim was never lost and it is still present with the petitioner. On 10<sup>th</sup> October 2009 the petitioner went to Mobilink Franchise Chowk Fawara Bahawalpur where he was informed that sim had reissued again after its blockage on 17<sup>th</sup> October 2009 and had also ported out to some other network i.e. ZONG. The petitioner issued a legal notice to respondents but they have done nothing in this regard. The petitioner has prayed for reissuing the sim in question in the name of the petitioner and he has also claimed compensation of Rs. 10 million and he also claimed damages of Rs. 10 million.

2                   The respondent raised many objections in their written statement and denied story of the petition. The sim has been reissued in the name of the petitioner. On the whole the respondents denied the allegations of the petitioner.

3                   Evidence of the parties was recorded. The petitioner appeared as PW1 and narrated the same which has been contended in the petition. During cross examination nothing could be sort out on behalf of respondent. PW2 has submitted his affidavit as EXP 2, letter of confirmation EXP3, legal notice EXP 4, Sales tax invoices EXP 5, EXP6, EXP7, EXP8, original sim is written as EXP 10 while certificate is also written as EXP 10. Many opportunities were given to the respondents for producing their evidence but they remained unable to produce the same. Therefore respondent's right for producing evidence was struck off.

4                   Arguments heard, record perused.

5                   It is hard fact that the petitioner has purchased a Mobilink No. 0300-9632448 and the respondents has themselves admitted that the sim was blocked and the sim has been reissued to someone else. The petitioner informed the respondents about his ownership, at which the sim in question was reissued to him but again sim was reissued to someone else and even was ported out to new network i.e. ZONG. Now both the parties have admitted that the sim in question has reissued to the petitioner.

6                   Through out the file it transpires that when petitioner informed the respondents about the blockage of the sim in question it was reissued to the claimant but again it was blocked without any justification. This all shows the negligence on the part of respondents. The petitioner through the instant claim has claimed that he was busy in BVH Bahawalpur due to illness of his sister; however he has not produced any document in this regard. Keeping in view

all the circumstances the petition in hand is hereby accepted and the respondents are directed to pay Rs. 20,000/- as mental torture and respondents are also directed to pay cost at the tune of Rs. 30,000/- to the petitioner.

Announced:  
12.5.2010

**Shahzad Pervaiz Abbasi**  
**District & Sessions Judge/Presiding Officer**  
**District Consumer Court**  
**Multan**

### Certificate

It is certified that order contains three pages each page is dictated corrected and signed by me.

12.5.2010

**Multan**

**District & Sessions Judge/Presiding Officer**  
**District Consumer Court**