

IN THE COURT OF SOHAIL NASIR DISTRICT AND SESSIONS
JUDGE/JUDGE CONSUMER COURT,
RAWALPINDI

(Case No. 135 of 13.12.2012)

Al Haj Azhar Iqbal Satti S/o Col. Muhammad Yusuf Satti, House No. B-V-501-A, Al-Muslim Street, Col. Yusuf Colony, Muslim Town, Rawalpindi.

Vs.

- 1. GM Sui Northern Gas Pipeline I-9, Islamabad*
- 2. Manager Customer Services Sui Northern Gas Pipeline, 60-A, Walayat Plaza, Murree Road, Rawalpindi*

Present: *Claimant in person*
Mr. Jamal Mahmood Butt advocate for defendants.

JUDGMENT

1. In short facts of the case are that Mr. Azhar Iqbal Satti/Claimant was a consumer of defendants having their services of energy supply at his residence. On 05.11.2012 said services were withdrawn by defendants while removing/disconnecting gas meter from premises. Version of rival side is that domestic connection was being used for commercial purposes.

2. Version of claimant is also that he had paid energy consumption charges on regular basis so defendants had no authority for disconnection. He had prayed besides other reliefs for restoration of gas supply.

3. Learned counsel for defendants contends that no relation of "Consumer and Services Provider" was in existence when claimant filed the claim hence this Court has no jurisdiction in matter. He further maintains that even if this relation is accepted, even then there is no allegation of defective services hence case is out of domain of the Punjab Consumer Protection Act, 2005 (hereinafter to be called the Act).

4. On the other hand, claimant by arguing his case of his own contends that at no stage he made default in payment of utility charges and without notice to him and without confronting him about allegation of use of domestic connection for commercial purpose, his gas meter was removed, therefore, this Court has jurisdiction in the matter.

5. I have heard arguments of both sides.

6. Perusal of claim and written reply indicates that defendants had withdrawn services provided to claimant on 05.11.2012. It means that on that specific day relation between parties as of consumer and services provider had ceased to exist therefore, to my mind case does not fall under the ambit of the Act. Even otherwise there is no allegation of defective services provided by defendants and only allegation is about

disconnection of gas supply for which defendants had raised a specific plea. What I am able to find out is that through this claim claimant desires restoration of gas meter.

7. In Messrs Sui Northern Gas Pipeline Limited Vs. Abdul Hameed 2012-CLD-1428 it was held by Honourable Lahore High Court in almost similar circumstances that a Consumer Court has no jurisdiction for cancellation of gas bill or change of gas meter as these remedies can be availed only from the Court of general jurisdiction.

8. In view of above objection raised by learned counsel for defendants is sustained and it is held that this Court has no jurisdiction to adjudicate upon the matter hence this claim is returned to claimant with the observations that he may approach Court of competent jurisdiction, if so advised.

9. No order as to costs. File shall be consigned to record room after its due completion.

Announced
20.12.2012

(Sohail Nasir)
District & Session Judge
Judge Consumer Court
Rawalpindi.

It is certified that this judgment consists of two pages. Each page has been dictated, read, corrected and signed by me.

(Judge Consumer Court)
Rawalpindi.