

MOHSIN RAZA V/S P.S.O ETC

Order:

This is a petition filed by Mr. Mohsin Raza against the respondents (P.S.O) on the allegation that they had not displayed the price list and had over charged the price of 3 liters mobile oil Can and has also prayed that damages of Rs. 50000/- be also granted to him.

The Respondents were summoned who filed their Written Statement. Thereafter evidence of the parties was recorded i.e PW1 Mr. Mohsin Raza Bhatti ,Petitioner,appeared as his own witness and PW2 Mr. Suhail Abbas. The Respondent produced RW1 Afsar Hashmi. Both the parties closed their evidence

After hearing the arguments of both the Learned Counsel for the parties and perusing the record. The allegation of the petitioner is that price list was not displayed by the P.S.O Petrol Pump at their site and they had charged Rs. 600/- instead of Rs. 528/- which was mentioned on the mobile oil Can of 3 liters of P.S.O brand.

It is evident from Section 23(1) of the Punjab Consumer Protection Act 2005 which is given as under for ready reference.

Section 23: Power Of Authority (1)Any person may file a complaint for violation of provisions of Section 11,16,18 and 19 before the Authority, who on being satisfied that such is the case , fine the violator that may extend to Rs. 50000/- and which may be recovered as arrears of Land Revenue.

The Authority under Punjab Consumer Protection Act 2005 means the District Coordination Officer of the District concerned (or any other officer as notified by the Government).

The case of the petitioner falls under Section 18 and 19 of Punjab Consumer Protection Act 2005which is exclusively triable by the District Coordination Officer Lahore (DCO). Both the parties have also stated that a complaint is already pending before the DCO since Feb2007 pertaining to the same allegation, in which an inquiry report has also been summoned. The said inquiry report is mark A on the file.

In view of the aforesaid reasons this complaint is returned to the Petitioner for filing the same before the DCO Lahore who shall dispose of the same expeditiously.

File be consigned to record room after due completion.

**Announced
24-09-2007**

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