

**SOHAIL IKRAM PRESIDING OFFICER
DISTRICT CONSUMER COURT
GUJRANWALA**

COMPLAINT / CASE NO. 04/2008

DATE OF INSTITUTION. 10-01-08

DATE OF DECISION. 22-04-08

Serdar Khalil VS Fasail Mir.

Present:- complainant in person.

Respondents are not present.

JUDGMENT:

Serdar Khalil, complainant filed complaint under the Punjab Consumer Protection Act, 2005 against the respondents in which he has alleged that on 10-01-08, he purchased one Nokia Mobile Charger and one Telenore SIM in sum of Rs. 800/- from the respondent. The respondent did not provide the SIM ownership documents, when the complainant contacted with the respondent he refused to provide the same and also refuse to refund the price. He prayed that his claim be accepted and he be awarded damages / compensation for mental torture, stress and agony.

The complainant sent a legal notice on 05-12-07, exhibit "PA" to the respondent but the respondent did not pay any heed on it. Resultantly the complaint in hand raises.

The respondent was summoned through ordinary means and as per report dated 17-01-08 respondent refuse to receive the notice therefore the processes Server of this court was directed to serve the notices and for 18-03-08 the respondent received the notice but on 18-03-08 no body appeared on behalf of the respondent, therefore the respondent was proceeded exparte. The exparte evidence in the form of oral evidence and documentary evidence was produced.

Muhammad Javaid appeared as PW1, Serdar Khalil appeared as PW2, Shafqat Raza appeared as PW3. All the above PWs almost narrated that same facts in their evidence as narrated in compliant Exhibit "PB".

There is no evidence in rebuttal.

Under these circumstances I accept the petition of the complainant and it is ordered that the respondent shall return the amount of SIM and Nokia Charger Rs.800/-. The damages / compensation for the mental torture, stress, agony Rs.10000/-. The claim of the petition is decreed for a total amount of Rs.10800/- (rupees ten thousand eight hundred only) File be consigned in the record room after due to completion.

Announced:
22-04-08

(SOHAIL IKRAM)
PRESIDING OFFICER
District Consumer Court,
Gujranwala.

CERTIFICATE: This judgment consists of on two pages and the each page is dictated, corrected and signed by me.

(SOHAIL IKRAM)
PRESIDING OFFICER
District Consumer Court,
Gujranwala.