

**Case No. 83/2019**

**13.06.2019**

Petition/claim received. It is containing documents as under: -

1. **Copy of ID card of the claimant.**
2. **Copy of license of Advocate.**
3. **Petition.**
4. **Affidavit.**
5. **Application for condonation of delay (not attached).**
6. **List of documents.**
7. **Copy of legal notice.**
8. **Postal receipt.**
9. **Postal envelope.**
10. **Proof of employee (defendant) not attached.**
11. **Address form.**
12. **List of documents reliance on.**
13. **Power of attorney.**
14. **Talbana form.**

*This is fresh petition. Be registered.*

*The petition/claim does not fall under section 2 (c ) (ii) (k) (i) and the petition is also barred by time under section 28 (4) of the Punjab Consumer Protection Act 2005. This petition be placed before the learned Presiding Officer for preliminary arguments on 19.06.2019.*

  
**Registrar,**

**District Consumer Court,  
Sargodha.**

**19.06.2019**

**P R E S E N T**

*Ch. Arshad Mehmood Advocate for the claimant.*

*Preliminary arguments heard.*

*The contention of Athar Ahmad Manzoor petitioner is that he being owner of a fast food shop, employed the defendant worker on daily wages @ Rs. 800/- per day and he also paid an advance money @ Rs. 15000/- to the defendant.*


2. The grievance of the petitioner is that during the period of his service, the defendant failed to perform his duty properly, therefore, his business suffered adversely which resulted into the loss of his business as well as his good-will, therefore, he is entitled to recover the compensation for the faulty services provided by the defendant.

3. Keeping in view the contents of this petition alongwith the definition of "**Consumer**" and "**Services**", as provided in clause (c) and (k) of Section 2 of the Punjab Consumer Protection Act, 2005, it is crystal clear that the relation between the parties is of an **employer** and an **employee** and not of the **consumer** and **service provider**, therefore, the case in hand does not come within the jurisdiction of this court and the cause of action of the petitioner is not proceedable under the Punjab Consumer Protection Act, 2005, hence, the instant case is liable to be returned to the petitioner for its re-institution at the proper forum, therefore, it is directed to be so returned.

4. The Registrar or the Reader of this court are directed to return the case file to the petitioner or his learned counsel after retaining the requisite certified copies of the documents as record of this court and making the necessary entries in the relevant register, with an acknowledgment.

5. Ordered accordingly.

**Announced**  
**19.06.2019**

  
**Presiding Officer,**  
**District Consumer Court,**  
**Sargodha**