

Case No. 86/2019

17.06.2019

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

1. **Copy of ID card of the claimant.**
2. **Copy of license of Advocate (not attached).**
3. **Petition.**
4. **Affidavit.**
5. **List of documents reliance.**
6. **List of documents.**
7. **Copy of legal notices.**
8. **Postal receipts.**
9. **Copy of agreement dated 16.05.2018.**
10. **Copy of cheque No.1613092072.**
11. **Copies of Register Haqdaran-e-Zameen.**
12. **Copy of clearance certificate.**
13. **Blank Copy of Subhan Estate Deal.**
14. **Power of attorney.**
15. **Talbana Form.**

This is fresh petition. Be registered.

The petitioner/claimant is not a consumer and does not fall in the definition of Punjab Consumer Protection Act 2005 under Section 2(c) (i) (ii) and Application for condonation of delay is also not attached. The petition/claim is 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 20.06.2019.


**Registrar,
District Consumer Court,
Sargodha.**

20.06.2019

P R E S E N T

Qazi Muhammad Sarfraz Advocate for the petitioner.

Preliminary arguments heard.

This is a claim by a property dealer seeking recovery of amount of his commission from his clients (defendants).

Muhammad Nafees.

Vs.

Muhammad Saeed, etc.


Case No.86/2019

2. Keeping in view the averments 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 petitioner is a service provider while the respondent is a consumer, 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.

3. The Registrar and 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.

4. Ordered accordingly.

Announced
20.06.2019


Presiding Officer,
District Consumer Court,
Sargodha