

**IN THE COURT OF EJAZ AHMAD BUTTAR  
DISTRICT & SESSIONS JUDGE / PRESIDING OFFICER,  
DISTRICT CONSUMER COURT,  
FAISALABAD.**

Complaint N                      447/11  
Date of institution            15-10-11  
Date of decision                5-1-12

Ali Raza Vs. Muhammad Asif.

Petition u/s 25 of Punjab Consumer Protection Act 2005.

**EX-PARTE ORDER**

Present: Petitioner in person. Respondent is ex-parte.

Brief facts of the case are that on 1-7-11, the petitioner gave a motor pump for repair by the respondent. He also paid him Rs.300/- as a repair charges. Lateron respondent further charged payment of repair charges of Rs.2800/- but instead of giving back petitioner's motor pump, they replaced the same by a pump of low quality. On 9-7-11, petitioner alongwith Muhammad Bilal and Muhammad Rizwan demanded from respondents to refund petitioner's repair charges as well as return his motor pump but he refused, hence, this petition for recovery of suit amount of Rs.66,300/- and return of motor pump.

2. In response to issuance of court process, the respondent appeared before court on 25-10-11 and availed a few adjournments to file written statement which was ultimately not filed. At last, respondent was proceeded ex-parte on 29-11-11.

3. Ex-parte arguments heard and record perused

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4. Petitioner appeared as PW-1 and also placed on record his sworn affidavit Ex-P-1, copies of legal notice Ex-P-2, post office receipt Ex-P-3, sale receipt Ex-P-4 and visiting card Mark "P/A".

5. Ex-parte arguments heard and record perused.

6. As petitioner's evidence has not been rebutted by respondents due to ex-parte proceedings, therefore, petition is accepted ex-parte to the extent of Rs.8100/- including refund of repair charges as Rs.3100/- and legal expense as Rs.5,000/- whereas petitioner's remaining claim is hereby dismissed. After due completion, file be consigned to record room.

Announced  
5-1-12

Ejaz Ahmad Buttar,  
District & Sessions Judge/  
Presiding Officer,  
District Consumer Court, Faisalabad.

Certified that this order consists of two pages which have been corrected and signed by me.

Announced  
5-1-12.

Presiding Officer,  
District Consumer Court, Faisalabad.