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(Shehbaz Arshad versus U-fone c/o Chief Executive)

IN THE COURT OF MIRZA JAWAD A: BAIG, DISTRICT & SESSIONS JUDGE, PRESIDING OFFICER, DISTRICT CONSUMER COURT, DERA GHAZI KHAN.

(PHONE: PTCL No. 0642474100) (FAX No. 0642470496).

Shehbaz Arshad Versus U-fone c/o Chief Executive

Complaint/ Case No: 1869/572/11.

Date of Institution: 01-11-2011.

Date of Decision: 21-01-2012.

COMPLAINT ABOUT FAULTY SERVICE

ORDER:

Claimant is represented by Syed Farrukh Bukhari Advocate and Zahid Hussain Hassam Advocate while defendant is being represented by Rana Mohammad Arshad Advocate.

- 1. The case is at the stage of the arguments which are going to be heard today.
- 2. Briefly stated the version of the claimant is to the effect that mobile sim bearing No. 0092-3338787788 being post paid connection previously issued in the name of the claimant since one year was issued to another unauthorized person on 1st August without the knowledge of the claimant; that duplicate sim was obtained by the claimant on 4th August but came to know that sim was illegally issued to unauthorized person; that no reply has been given to the legal notice issued by the claimant on 01-10-2011; that the claimant should be awarded Rs.50,000/- as actual cost and Rs.6,00,000/- as compensation along with any other relief which this court deems fit may also be allowed to the claimant.
- 3. The version of the defendant in the written statement is to the effect that the petitioner has no cause of action and no locus standi; that the complaint is presented in malafide intention; that the claimant has not come up with clean hand; that the petition is not maintainable in the present form due to the absence of necessary party; that after receiving written complaint of the petitioner the issue has been investigated to the effect that sim was replaced through a private shop namely Bilal Computers in Kot Addu by fake CNIC; that it was clarified in the response to the claimant; that duplicate sim

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was admittedly issued after three days; that maximum co-operation was made

with all possible effort for the satisfaction of his grievance by the defendant;

that legal notice was duly replied; that the matter was in the process; that no

loss has occurred to the petitioner; that his grievance is redressed at first

instance by issuance of duplicate sim card; that strict disciplinary action

against the private shop retailer and penalty was also imposed; that it was

communicated to PTA; that the PTML reserves the right to file case of undue

harassment and blackmailing to the petitioner; that petition should be

dismissed with costs and any further relief as the court deems fit should be

awarded.

4. At this stage, permission is granted on request of learned

counsel for the claimant under objection of learned counsel for the defendant

to file fresh complaint after impleading the proprietor of the retailer shop while

the present complaint is disposed off by way of return.

5. The parties are left to bear their own costs.

6. A soft copy of this order would be available for publishing on the

internet to the website of Punjab Consumer Protection Council Secretariat,

135-J, Model Town, Lahore for public disclosure and easy access of

information to the consumers relating to the products and services under Rule

25 of PCP Rules 2009.

7. The file of this complaint is to be consigned to the record room

duly page marked with proper index and after due completion and made

available for issuance of attested copies and kept under safe custody till the

period fixed for destruction in accordance with the Rules & Orders of

Honourable Lahore High Court.

Announced: 21-01-2012.

(MIRZA JAWAD A: BAIG)
D. & S. J. / P.O., D.C.C., D.G.K.,
PUNJAB, PAKISTAN.