

**IN THE COURT OF MUHAMMAD YOUSAF  
PRESIDING OFFICER DISTRICT CONSUMER  
COURT, GUJRANWALA  
Case No.76/10**

Date of institution : 30-04-10.

Date of Decision : 20-09-11.

Abdul Mughni S/o Muhammad Yousaf Caste Arrain R/o Rasool Pur near Zahid Colony  
Gujranwala. (complainant)

Vs.

Mobilink Communication Limited through Khawaja Shahzad Regional Sales Manager  
Mobilink, G.T. Road, Gujranwala. (respondent)

**COMPLAINT UNDER SECTION 25 OF THE PUNJAB CONSUMER  
PROTECTION ACT, 2005.**

**JUDGMENT:**

1. Complainant has filed the instant complaint with the accusation that he has purchased a sim of respondent's company with No.0300-7452505 long ago and had been using the same but three year earlier it was blocked and was sold way to another person but on complaint it was again issued in his name. According to the complainant after some time again it was blocked and sold way to another person but on complaint it was again issued in his name. It has been alleged that third time the sim has been sold way to some other person and when he has made a complaint to the official of respondent's company, he was humiliated. Complainant has claimed Rs.100000/- as compensation and agony besides the counsel fee.

2. The complaint was contested by the respondent and in written reply allegation was denied by taking the stand that concerned sim remained in the name of complainant and it was never sold way.

3. Reconciliation proceedings remained unsuccessful whereupon parties were required to produce evidence.

4. Complainant himself appeared as PW1 and supported the complaint by deposing that 3<sup>rd</sup> time sim was sold to some person who is resident of Jang and when he has made a complaint his request was turned down and official of respondent also misbehaved, hence he has filed the instant complaint. Disputed sim Exh. "P3" while confirmation letter as Exh."P2" have been placed on record.

5. In rebuttal, there is statement of RW1 Usman Tahir Customer Services Representative of respondent's company Gujranwala office who has denied the allegation opposing that sim remained in the name of complainant till 21-09-10 when it was ported out to Ufone on the request of complainant, Computer Operated Information Exh."R1" to "R3" have been placed on record.

6. Respective arguments of parties have been heard, record perused.

7. Grievance of the complainant is that he sim in his name was blocked and was sold way to some other person and to prove the same, he has got recorded his own statement. On behalf of the respondent side allegation has been refuted and in this regard Computer Operated Information Exh. "R1" to "R3" have been placed on the record. According to Exh. "R2" and "R3" on the request of subscriber Abdul Mughni complainant, the said sim was ported out to Ufone network Exh."R1" is revealing that till the transfer of sim to Ufone network it remained in the name of complainant. Nothing has been placed on record by complainant in rebuttal. This oral evidence can not be given preference to above mentioned documentary evidence. Complainant has remained unsuccessful in establishing on record that the sim in his name was blocked and was transferred to some other person. As such the instant complaint is hereby dismissed. File be consigned to record room after is due completion.

**Announced:**  
20-09-11

**(MUHAMMAD YOUSAF)**  
Presiding Officer  
District Consumer Court,  
Gujranwala.

Certified that this judgment is consisting of two pages, which have been dictated corrected and signed by me.  
20-09-11

**(MUHAMMAD YOUSAF)**  
Presiding Officer  
District Consumer Court,  
Gujranwala.