

**IN THE COURT OF MUHAMMAD YOUSAF
PRESIDING OFFICER DISTRICT CONSUMER
COURT, GUJRANWALA
Case No.140/11**

Date of institution : 27-07-11.

Date of Decision : 26-10-11.

Zulifiqar Ahmed S/o Anyait Ali Caste Bhindar R/o Ugo Bhindar Tahsil Kamoki District
Gujranwala. (complainant)

Vs.

Muhammad Nasir Proprietor Nasir Tikka Shop Model Town Gujranwala. (respondent)

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

EX-PARTE JUDGMENT:

1. Zulifiqar Ahmed, a resident of Ugo Bhindar has filed the instant complaint with the accusation that on 03-07-11 when he went along with his friends to the respondent's shop, they have not only provided less quantity of meat as against the purchased quantity and also the food provided was substandard which has created stomach problem to him and to his friends. Complainant has claimed Rs.1,75,000/- as compensation for agony besides Rs.5,000/- for legal notice and Rs.20,000/- as counsel fee.

2. Respondent was summoned but no one appeared on behalf of the respondent in spite of service where upon ex-parte proceedings were taken.

3. In ex-parte evidence, Complainant has submitted his affidavit as Exh. "P1" besides the affidavit of Arfan Haider as Exh."P4" while on documentary side purchase receipt Exh.P2 have been placed on record.

4. Arguments have been heard. Record perused. Complainant as PW1 and his witness Arfan Haider as PW2 by submitting the affidavit have corroborated the allegation mentioned in the complaint. No discrepancy is found in their statements. There is nothing in rebuttal, so this Court has left no option but to rely upon the same. As such when the allegation of providing of defective services and substandard food is being established against the respondent, complainant is declared entitled to recover Rs.2700/- which he actually paid. Although he has claimed Rs.175000/- as compensation/damages but no evidence has been produced regarding loss which actually complainant has suffered. As such he is not declared entitled for the same. However, Rs.5000/- are also awarded as litigation charges. Respondent is directed to pay Rs.7700/- to the complainant within 30 days of announcement of this judgment. File be consigned to record room after its due completion.

Announced:
26-10-11

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