

**IN THE COURT OF MUHAMMAD YOUSAF  
PRESIDING OFFICER DISTRICT CONSUMER  
COURT, GUJRANWALA  
Case No.112/11**

Date of institution : 30-06-11.

Date of Decision : 26-10-11.

Muhammad Yousaf S/o Abdul Sitar Caste Rajput R/o House N.10 Moh. Kashmir Colony  
Satellite Town Gujranwala. (complainant)

Vs.

1. Qaisar Mehmood S/o Abdul Hameed Caste Malik R/o street Tehsil Gujjar wali Bazar Moh.  
Mian Sansi, Gujranwala.

2. Mehal Motors, G.T. Road, Gujranwala through Broker Goga. (respondents)

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

**EX-PARTE JUDGMENT:**

1. Muhammad Yousaf, complainant has filed the instant complaint with the assertion that on 28-02-11 he has purchased Suzuki Margla Registration No.STH-9450, Engine No.319719F, Chasses No. 931017P.K Model 1997 in Rs.3,47000/- from respondent No.1 through respondent No.2, commission agent and in this regard a receipt was also issued but on checking it was found that engine of vehicle was replaced with substandard engine having No. 313646PKF. Complainant has alleged that both the respondents have made the concealment regarding replacement of engine at the time of settlement of transaction, so, they are liable to pay damages to him.

2. Respondents were summoned through registered post but they have refused to receive the same, so were proceeded ex-parte.

3. In ex-parte evidence, complainant has got recorded his own statement as PW1, where in he has reiterated the facts mentioned in the complaint while on documentary side purchase receipt Exh."P1" has been placed on record wherein engine No.319719 has been mentioned which according to the complainant was replaced. As such allegation against respondents regarding making concealment of fact is being established. As on Court query complainant has refused to return the car and receive back the amount paid, so, he is declared entitled for compensation of Rs.30000/- as certainly because of replacement of engine, value of the car has come down. He is also declared entitled for Rs5000/- as litigation charges. Respondents are directed to pay Rs.35000/- 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.

