

**IN THE COURT OF SOHAIB AHMED RUMI DISTRICT & SESSIONS**  
**JUDGE/PRESIDING OFFICER DISTRICT CONSUMER COURT SARGODHA.**

Case No. 161/2012  
Date of institution 01.11.2012  
Date of Decision 17.12.2012

**IrfanHaider S/o Abdul Ghafoor**

Madina Town Sargodha  
(Complainant)

**Versus**

**Principal the Educator School**

Shaheen Park Queen Road Sargodha.  
(Respondent)

**J U D G E M E N T .**  
**17.12.2012**

Case of the complainant is that he got admission of his four kids namely Eiman Malik, Shayan Malik, FurqanHaider and Hanya Malik.in the respondent's institution. Sum of Rs. 33518/- was received by the respondent as admission fee the proper education was not provided by the respondent to the children and due to deficient service of administering quality education to the children the complainant in June 2012 decided to withdraw his offspring from the school resultantly the respondent issued school leaving certificate on 07 June 2012 but refused to return the security deposited by him. Complainant contended that as deficient services were provided by the respondent, therefore, he is entitled to get back the security fee from the respondent.

Respondent was summoned but he did not choose to appear before the court inspite of due service, therefore, an ex-parte proceeding was order to be initiated against the respondent. The complainant himself appeared during the evidence as Pw-1 and produced reply of the legal notice as Ex-PA, receipts of posts office as Ex-PB &C, legal notice as Mark-a , reply to the reply of legal notice as Mark-B and closed petitioner's evidence.

Arguments heard.

Amir Umar Advocate Counsel for the complainant has stated that complainant has paid Rs, 33518/- as security fee to the respondent but quality educational service was not provided by the respondent, therefore, the children

*were withdrawn from the school. Complainant demanded the security fee Rs, 33518/- may be got recovered from the respondent as he failed to provide the efficient service. I have perused the reply to the notice submitted by respondent through Ch. Arshad Advocate Sargodha wherein respondent has admitted sum of Rs, 12000/- refundable security. In this view of the matter complainant was under obligation to establish that he has deposited sum of Rs, 33518/-. But no deposit receipt of the above said security amount has been produced by the complainant in his evidence except his verbal claim. Complainant has mentioned nothing in his statement before the court that the sum of Rs, 12000/- is not refundable rather more than this amount is refundable. During the course of argument counsel for the complainant was asked to produce even an Iota of evidence to establish his claim but he categorically stated that the respondent has not issued receipt of security deposit, therefore, he is unable to bring such document on the record. In this view of the matter, respondent is directed to return sum of Rs, 12000/- with legal charges Rs, 2000/- to the complainant immediately. Complaint is disposed off accordingly. File be consigned to record room after due completion.*

**Sd/-  
Presiding Officer,  
District Consumer Court,  
Sargodha.**