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**In the Court of Mian Abdul Ghaffar, District & Sessions Judge /  
Presiding Officer, District Consumer Court, Multan, Camp Office  
Khanewal.**

**Malik Muhammad Sajjid S/o Malik Muhammad Bakhsh R/o Peoples  
Colony, Khanewal.**

(Complainant)

Versus

**1- 1. Rana Muhammad Asif, 2. Muhammad Ilyas Proprietor Rana Asif  
Traders / Super Gas Agency & Lahori Room Cooler, Mujahidabad  
opposite Shell Petrol Pump, Peoples Colony, Khanewal .**

(Respondents)

Case No. 131/2017  
Date of Institution 09.06.2017  
Date of decision 04.05.2018

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

**ORDER:**

1. The complainant brought this complaint with the contention that on 02.05.2017 he contacted the respondents for purchase of two Lahori Room Coolers and the respondent No. 1 told that the price of two room coolers Rs. 24,000/-. The complainant deposited the amount of Rs. 10,000/- as advance to the respondent No. 1 and respondent No. 1 issued the receipt in this regard and promised to hand over the room coolers on 10.05.2017 and the complainant visited on 13.05.2017 but the respondents refused to hand over two Lahori room coolers to the complainant. On 22.05.2017, the complainant also served legal notice on the respondents and same was not replied by the respondents. Hence, this complaint has been filed by the complainant.
2. Due process for the attendance of the respondents was issued but no one appeared from the side of respondents and after adopting due

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course of law, ex-parte proceedings was initiated against the respondents.

3. In ex-parte proof of the complainant, the complainant tendered his affidavit EXP-1 and recorded his statement as PW1 wherein the learned counsel for the complainant has produced original purchase receipt EXP-2 and original postal receipt about sending of legal notice EXP-3 where other witness namely Mudassar Ahmed also tendered his affidavit EXP-4 and recorded his statement as PW2.

4. The learned counsel for the complainant has argued the case and stated that on 02.05.2017, the complainant deposited Rs. 10,000/- as advance to the respondents who promised to handed over two Lahori Room Coolers to the complainant but up till today neither respondents handed over two room coolers nor returned the amount of Rs. 10,000/- and he suffered financial and mental loss due to act of the respondents. The complainant is a gentle citizen and has no grudge with the respondents and in his support, PW2 has submitted his affidavits and prayed that the complaint be allowed.

5. I have carefully gone through the record and of the view that the oral as well as documentary evidence as produced by the complainant is un-rebutted and due process for the attendance of the respondents was issued but no one appeared from the side of respondents. The original purchase receipt EXP-2 shows that the complainant deposited Rs. 10,000/- as advance to the respondents, original postal receipt about sending of legal notice EXP-3 is also available on the record. The oral evidence as produced by the complainant supports the contention of the complainant. Keeping in view this, it is concluded that due to act of the respondents, the complainant

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suffer mental as well as financial loss. So the complaint is hereby accepted partially and the respondents shall pay the amount of Rs. 10,000/- along with Rs. 5000/- as compensation to the complainant. The fee certificate of advocate is not on the file, therefore, the same cannot be granted as such. File be consigned to record room after its due completion.

Announced  
04.05.2018

**(Mian Abdul Ghaffar)**  
**District & Sessions Judge/Presiding Officer,**  
**District Consumer Court, Multan**  
**(Camp Office, Khanewal)**

### Certificate

Certified that this order consists of three pages and each page has been dictated, read over and signed by me.

Dated:  
04.05.2018

**District & Sessions Judge/Presiding Officer**  
**District Consumer Court, Multan**  
**(Camp Office, Khanewal)**