

(1)
**In the Court of Mian Abdul Ghaffar, District & Sessions Judge /
Presiding Officer, District Consumer Court, Multan, Camp Office
Vehari.**

**Mehreen Amjad D/o Amjad Hussain R/o House No. X-BS-29 Bawa
Safra, Shah Shams Road, Multan.**

(Complainant)

Versus

- 1- Wains Transport near Vehari Chowk, Multan through Manager .**
- 2- Itefaq Flying Coach Service, Burewala Bus Stop, Burewala.**

(Respondents)

Case No. 84/2017

Date of Institution 14.04.2017

Date of decision 11.05.2018

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

ORDER:

1. The complainant brought this complaint with the contention that on 23.02.2017, she purchased tickets from Burewala to Multan from the respondent No. 2 with a consideration of Rs. 400/- and the time of starting of journey was 01.00PM. The van No. 8777 was very old and its start journey after the delay of half hour and at Thengi stop, it became out of order and fire was coming from its engine and after one hour, another van came and the said defective van attached with other van and reached in workshop but the said defective van was not rectified. The passenger was ordered to travel on any other van. The complainant, her minor child and her old mother in law reached at Multan after 6.00PM. Due to act of the respondents, the complainant and her family faced hardship and inconvenience. In Multan Bus Stop, the complainant contacted the respondent No. 1 but the grievance of the complainant had not redressed by the respondents. 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)

2. The complainant purchased the tickets from the respondent No. 2 and has no concern with the respondent No. 1. Therefore, due process for the attendance of the respondent No. 2 was issued but no one appeared from the side of respondent No. 2 and after adopting due course of law, ex-parte proceedings was initiated against the respondent No. 2.

3. In ex-parte proof of the complainant, the complainant Mehreen Amjad tendered her affidavit EXP-1 and recorded her statement as PW1.

4. The learned counsel for the complainant has argued that due to act of respondents, the complainant as well as her family faced hardship and inconvenience. Further that the complainant is a lady and travelled on 23.02.2017 along with her little baby as well as her mother in law but the behavior of van driver as well as conductor was very painful. Due to defective and sub-standard service of the respondent No. 2, the complainant had to suffer financial and mental loss to the tune of Rs. 5,00,000/- 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. Although, the complainant made party to Wains Transport near Vehari Chowk Multan through Manager as respondent No. 1 but she purchased the tickets from respondent No. 2 and the van started its journey on 23.02.2017 at the venue of respondent No. 2 who is responsible for all mishap. So due process for the attendance of the respondent No. 2 was issued but no one appeared from the side of respondent No. 2. The photocopy of purchase tickets dated 23.03.2017 shows that the complainant along with family travelled on the van of the respondents but they provided poor and defective services to the complainant. The oral evidence as

(3)

produced by the complainant supports the contention of the complainant. Keeping in view this, it is concluded that due to act of the respondent, the complainant suffered mental as well as financial loss. So the complaint is hereby accepted partially and the respondent No. 2 shall pay the amount of Rs. 400/- paid by the complainant for the purchase of tickets along with Rs. 10,000/- 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
11.05.2018

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

Certificate

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

Dated:
11.05.2018

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