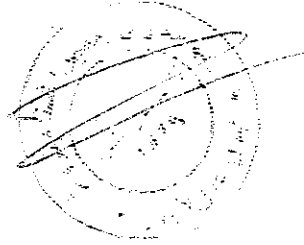
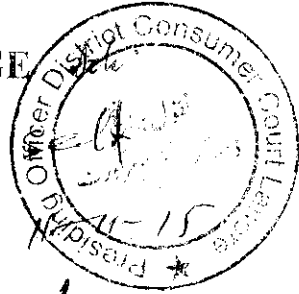


11  
IN THE COURT OF DISTRICT AND SESSION JUDGE  
CONSUMER COURT LAHORE



11-15

Mst. Sobia Shoukat D/o Shoukat Ali Resident of house No.101 Street No.7  
Multani Koloney baghban pura Lahore..

.....COMPLAINANT

VERSUS

Mr.Khalid Mehmood (proprietor)  
Muzammal Ahmad Furniture, Shalamar College Road, shellar Chowk  
Lahore.

.....RESPONDENT

**COMPLAINT UNDER SECTION 25 OF THE PUNJAB CONSUMER  
PROTECTION ACT 2005 READ WITH ALL OTHER ENABLING  
PROVISIONS OF LAW.**

RESPECTFULLY SHEWETH:

ATTESTED

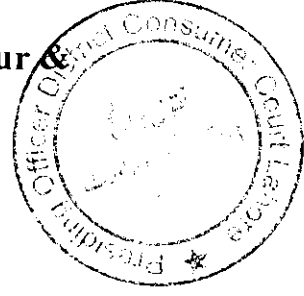
Registrar  
District Consumer Court  
Lahore.

1. That the addresses of the parties gives in the complaint are correct and sufficient for the purposes of summons and effecting the service through the process, which may be issued by this honorable.

2. That the brief facts of filling this instant complaint is that the complainant purchased following articles (furniture) along with their total amount of RS. 155000/- on 25.04.15.

- i- Bed (RS. 70000/-).
- ii- Showcase (Rs. 25000/-).
- iii- Sofa set (Rs. 38000/-).
- iv- Terpai set (Rs. 15000/-).
- v- Iron stand (Rs.7000/-).

In the Court of Judge Mahar Tahir Nawaz Khan  
District & Sessions Judge/ Presiding Officer  
Consumer Court Districts Sheikhupura, Nankana-Sahib, Kasur &  
Lahore.



Complaint No 541/2015  
Date of institution 11-11-2015  
Date of decision. 29-01-2018

Mst. Sobia Shoukat D/o Shoukat Ali r/o House No. 101 Street No. 07  
Mutani Coloney, Baghban Pura, Lahore.

Complainant

V/S

Mr. Khalid Mehmood (proprietor) Muzammal Ahmad Furniture,  
Shalimar College Road, Sheller Chowk, Lahore.

Respondent

**COMPLAINT UNDER SECTION 25 OF THE PUNJAB CONSUMER  
PROTECTION ACT, 2005 READ WITH ALL OTHER ENABLING  
PROVISIONS OF LAW.**

**Order.**

1. Briefly stated facts of the complaint are that complainant purchased furniture articles i.e Bed, showcase, Sofa set, Terpai set and iron stand from respondent against Rs. 1,55,000/-. Complainant was guaranteed that furniture was of first class quality and in case of termite or any other defect, the whole of furniture shall be replaced. Complainant alleged that all the furniture has been damaged due to attack of termite because respondent used substandard material. Complainant approached the respondent for replacement of the said furniture but the respondent did not pay any heed. Complainant issued a legal notice to respondent but in vain, hence the present complaint. Complainant prayed this Court to accept his complaint and grant him an amount of Rs. 5,00,000/- including price of furniture, transportation /labour charges, lawyer fee and damages etc.

ATTESTED  
District Consumer Court  
Lahore

Tahir Nawaz Khan  
29-01-2018  
Khan

2. Respondent was served through one Khalid Mehmood Staff but no body appeared on his behalf, hence he was proceeded against Ex-parte.

3. Shahzad iqbal/Attorney appeared as Pw-1 and tendered his affidavit Ex-P/1 as examination in chief, he also produced special power of attorney Ex-P/2, payment receipt Ex-P/3, copy of legal notice Mark P/A, its courier receipt Ex-P/4 and acknowledgment due to receipts Ex-P/5 and closed ex-parte evidence of complainant.

4. Matter in question being technical nature, sent to Director Wood Working Gujrat, Institute TEVTA, Gujrat for appointment of expert/commission for obtaining expert opinion/report regarding furniture in question which was received on 06-10-2017.

3. Ex-parte arguments heard: Record perused.

4. Expert submitted his detailed report and concluded that " it looks from the behavior shown by wood & allied material on the furniture items manufactured in 2015(as per customer verbal statement) is of lower to medium quality, especially the board used may not be of high density. The wood used is not properly seasoned due to which warping occurs and pronounced which makes the furniture aesthetic look bad". Expert further opined that moisture in the wood at the time of check is found quite high than the optimum range. The expert made following observations.

There is a sign of minute insects shown by the customer collected in a jar however there are no holes found on wood.

The joints are perfectly mitered but opened due to excessive moisture.

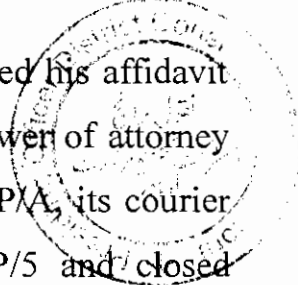
There are no machine burns found.

There are no blade marks found.

Surface is properly sanded.

The filler on the nail marks are clearly visible and leave its place due to excessive moisture.

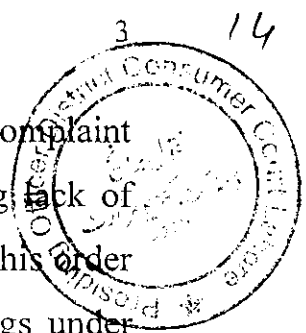
5. Keeping in view the findings/observations of the expert and ex-parte evidence produced by complainant, complaint is partially accepted in terms that respondent is directed to replace the Bed and repair the showcase and Terpai Set within 30 days from this order failing which respondent would refund the price of above said items to complainant after taking back the above said old/disputed items. Respondent would also pay Rs. 20,000/-as



ATTENDED

District Court  
Lahore

Handwritten signature and date: 29-10-2017



counsel fee/litigation charges to complainant. Rest of the complaint regarding mental torture and loss of reputation is dismissed being lack of jurisdiction. Registrar of this Court is directed to send the copy of this order to respondent for immediate compliance, failing which proceedings under Section 32 of the Punjab Consumer Protection Act 2005 will be initiated against the respondent for non compliance of Court order. File be consigned to the record room after its due completion.

*Tahir Nawaz Khan*  
**Judge Tahir Nawaz Khan**  
**D&SJ/Presiding Officer**  
**District Consumer Court LHR.**

**Announced**  
**29-01-2018**

It is certified that this Order consists of three pages which have been dictated, corrected and signed by me.

*Tahir Nawaz Khan*  
**Presiding Officer**  
**D&SJ/P.O, DCC, LHR**

**Announced**  
**29-01-2018**

ATTESTED

*[Signature]*  
Registrar  
District Consumer Court  
Lahore

Registration No..... 75/18  
Date of Presentation..... 01-03-2018  
Date of Preparation..... 01-03-2018  
Date of Attestation..... 01-03-2018  
Total Pages..... (04)  
Charges.....  
G.P.....  
Paid Amount..... Mq  
Name of Copyist..... M. Latif  
Date of Delivery..... 01-03-2018

*[Signature]*  
Registrar  
District Consumer Court  
Lahore.

11/3/18