

**IN THE COURT OF SHAUKAT KAMAL DAR DISTRICT &
SESSIONS JUDGE/PRESIDING OFFICER,
DISTRICT CONSUMER COURT,
SIALKOT/NAROWAL.**

Muhammad Umer Hayat.

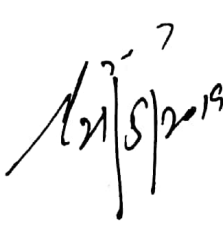
Versus.

Angro Corporation etc.

**Application U/O 07 Rule 11 C.P.C for rejection of
complaint.**

Order
21-05-2019.

Through this order I intend to dispose of the application filed by the defendant No.03 for rejection of the complaint on the basis of non maintainability.

 **02.** Brief facts necessary to dispose of this application are that Muhammd Khuram Hayat, complainant filed this complaint against the respondents with the contention that respondent/complainant is a farmer, having 10 acres agricultural land who purchased paddy crops seeds from the respondent No.3, which were prepared by respondent No.1 & 2, the same was sowed subsequently, it was found that 90% "jungle Rice Choba" grow from the said seeds. The complainant contacted the respondent No.01 who asked their Filed Officer. The respondent No.01 went there and admitted that the seeds were substandard and the complainant suffered loss of Rs. 1600000/- who give legal notice to the respondents on 01-10-2018 but the same was not responded, whereas, the complainant is entitle to receive Rs. 1600000/- from the respondents as compensation, hence, this complaint.

03. The complaint was resisted by the respondent No.03 who also filed an application for rejection of the complaint with the contention that subject matter of the complaint is paddy seeds which does not

come within the ambit of product and are natural fruits which come within the definition of natural fruits, hence, instant complaint is not maintainable. On the other hands, learned counsel for the complainant/respondent submitted that the paddy seeds come within the meaning of product, hence, instant complaint is maintainable.

04. Arguments heard and record perused.

05. For the ready reference Section 2 (J) of the Punjab Consumer Protection Act, 2005 is reproduced as under;-

“product” has the same meaning as assigned to the word “goods” in the Sale of Goods Act, 1930, and includes products which have been subsequently incorporated into another product or an immoveable but does not include animals or plants or natural fruits and other raw products, in their natural state, that are derived from animals or plants;

06. From the bare reading of the section it is clear that paddy seeds come within the definition of natural fruits, hence, are not product, therefore, the instant complaint is not maintainable and same is hereby dismissed. File be consigned to the record room after its due completion.

Announced:
21-05-2019.



Shaukat Kamal Dar
Presiding Officer,
District Consumer Court
Sialkot/Narowal

21/5/2019