

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

Case No. 163/2012
Date of institution 07.11.2012
Date of Decision 30.11.2011

Rana Muhammad Yousaf
r/o H. No.58 Block Z, N.S Tow, Sargodha.
(Complainant)

Versus
Liaqat Cotton Merchant
Faisal Bazar Block No.3, Sargodha.
(Respondent)

J U D G M E N T
30.11.2012

Rana Muhammad Yousaf has filed this case stating that on 11.10.2012 he purchased polyester (5kg) @ Rs. 120/- per Kg from the respondent's shop. When he presented the same to his wife it was disclosed that the same was fiber polyester instead of the polyester. According to the complainant, he returned the material which is still in the possession of the respondent who neither replaced it with the polyester nor returned the price for which a legal notice was served upon him but all efforts remained ineffective, hence, this suit.

Respondent was personally served by the court but he did not choose to appear and defend, therefore, vide order dated 19.11.2011 he was proceeded ex-parte. Complainant appeared as Pw-1 in support of his claim and produced purchase invoice Ex-PA, dispatch receipt of post office along with copy of legal notice Mark-A.

There is nothing in rebuttal from the respondent's side as he had been proceeded ex-parte, the court is left with no option but to accept the claim of the complainant. The material purchased as per contention of the complainant is lying with the respondent, therefore, respondent is directed to pay Rs. 600/- price of the polyester material to the complainant along with Rs. 300/- as legal

*expanses. Complaint is allowed in the above said terms. File be
consigned to record room after due completion.*

***Presiding Officer,
District Consumer Court,
Sargodha.***