

Mst Kalsoom Vs Muhammad Rarooq

07-09-11

Present: learned counsel for the claimant.

Order.

Claimant moved the instant claim against the respondent to recover the advance paid amount Rs. 8000/- (Eight thousand rupees) which he paid to him to get prepare main gate of her house alongwith Rs. 50,000/- (Fifty thousand rupees) as compensation from the respondent. According to the brief facts of the claim, claimant ordered to the respondent to get manufacture main gate for her house but defendant did not manufacture and deliver it to the claimant. Claimant faced mental agony and financial loss. Claimant issued the legal notice and hence the instant claim.

Preliminary arguments heard. Record perused.

Bare perusal of the claim and prayer of the claim reflects that claimant wants to recover advanced paid amount to the tune of Rs. 8000/- from the respondent and Rs. 50,000/- as compensation. Claimant did not challenge the services of the respondent. Recovery suit cannot be filed before the consumer court. It is the powers of the civil court to adjudicate the recovery suit. As the services of the respondent are not challenged by the claimant as defective hence claim of the claimant is hereby dismissed. Claimant is directed to knock at the door of appropriate forum to recover his dues.

File be consigned after its due completion.

Announced.

07-09-11

District & Sessions Judge/District Judge
Consumer Court Sahiwal