

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

**Case No.** 55/2013  
**Date of institution** 13.04.2013  
**Date of Decision** 21.05.2013

**Shokat Ali**

*r/o H. No.2541Mohalla Khushab.*

*(Complainant)*

**Versus**

**Muhammad Ilyas**

*Shaheer Electronics Sargodha Road Khushab.*

*(Respondent)*

**ORDER**  
**21.05.2013**

*Case of the complainant Shokat Ali is that on August, 09,2012 he purchased a Generator make JESCO Model J2100 from the respondent shop for consideration of Rs. 24800/-. The Gas Kit was already installed at the Generator. Respondent/Shopkeeper ensured that electricity out put of the Generator shall run six Fans and six Tube lights. According to the complainant the Generator in question could not be operated due to some basic faults in it. Study of owner's manual revealed that the generator can only be operated with petrol and the respondent/Shopkeeper had himself made alteration by installation of the Gas kit. Presently Generator is unable to run even two fans. Respondent was informed but he refused to attend the complaint. The complainant himself got necessary repairs of the Generator even then it is not giving any output.*

*The respondent was summoned by this court who did not choose to appear inspite of due service. The acknowledgment due received by this court bears signature of respondent Muhammad Ilyas proves that he has received the process issued by this court for his appearance, therefore, vide order dated 29.04.2013 respondent was proceeded ex-parte. Complainant appeared as Pw-1*

*as his own witness through affidavit Ex-A1 in support of his complaint and produced copy of legal notice Mark-A along with postal receipt Ex-A2 and acknowledgment due Ex-A3 whereby the legal notice was served by the respondent but he did not bother to respond. Original purchase receipt of Generator Ex-A5 was placed on record. Complainant also place on record various receipts showing time to time repair of the electricity Generator. Pw-2 Haji Muhammad Saleem and Pw-3 Muhammad Iqbal also appeared to support the complainant version. Generator in question was also sent for examination to the expert Muhammad Taseer Senior Instructor Government Technical Training Institute Sillanwali road Sargodha who submitted his report Ex-CA according to which Generator could not be started due to defect in the return spring of exhaust valve which has affected compression of the engine.*

*I have gone through the evidence of the complainant and expert report of Muhammad Taseer Ex-CA according to which Generator in question is a defective product which could not working properly at the house of the complainant inspite of its various repairs. As there is nothing in rebuttal on the record because respondent did not choose to appear and contest the case inspite of due service, therefore, complaint is accepted and respondent is directed to return the price of the Generator (JESCO Model J2100) to the complainant immediately. Cost of litigation Rs. 5000/- be also paid to the complainant. Complaint is disposed off accordingly. File be consigned to record room after due completion.*

**Announced**  
**21.05.2013**

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