

STATE CONSUMER DISPUTES REDRESSAL COMMISSION
UTTAR PRADESH LUCKNOW

APPEAL NO. 1873 OF 1993

(against the judgment and order dated 20.09.1993 in Complaint case no. 68/1990 passed by the District Consumer Forum, Bullandshahr)

Uppar Ziladhikari, Bullandshahr/Prashashak, Sarvhitkari
Inter College and another

Appellants

Versus

Smt. Urmila Devi

Respondent

BEFORE

HON'BLE MR. JUSTICE BHANWAR SINGH, PRESIDENT

HON'BLE MR. SYED ALI AZHAR RIZVI, MEMBER

HON'BLE MR. RAM PAL SINGH, MEMBER

For the Appellants : None is present.

For the respondent : None is present.

DATED: 01.02.2010

JUDGMENT

MR. JUSTICE BHANWAR SINGH, PRESIDENT (ORAL)

The case called out.

None is present on behalf of the parties although the notices were issued to both of them.

The cause list of date was reflected on the Commission's website through the internet.

As it is ^{an} ^u old appeal of the year 1993 we find it appropriate to decide it on merit.

A perusal of the record including the impugned judgment would reveal that the respondent/complainant Smt. Urmila Devi filed her complaint for recovery of her six months salary from Sarvhitkari Inter College, Aurangabad. According to her, she was appointed as L.T. teacher in the aforesaid college in Nov. 1984 and she had taken classes upto the end of the academic session by teaching the students of Class 6 to 10. However, the

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principal of the college withheld her salary of ^{the} last six months and it was for recovery of her six months salary that this complaint was filed.


From bare perusal of the facts noted above it is apparent that the issue raised before us does not pertain to 'consumerism'. The complainant herself was a service provider and neither she had paid any consideration for acquiring services of the college nor by any stretch of reasoning her case falls within the category of a "consumer". She should have filed a civil suit in the court of competent jurisdiction.

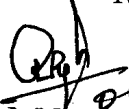
We are therefore, of the decisive opinion that the complaint of Smt. Urmila Devi was not cognizable by the District Consumer Forum, Bullandshahr.

In the result this appeal succeeds and is hereby allowed. The impugned judgment is set aside and the complaint of Smt. Urmila Devi is hereby dismissed.

As none is present before us there is no order as to costs.


(JUSTICE BHANWAR SINGH)
PRESIDENT


(SYED ALI AZHAR RIZVI)
MEMBER


(RAM PAL SINGH)
MEMBER