

**STATE CONSUMER DISPUTES REDRESSAL COMMISSION,
UTTAR PRADESH, LUCKNOW**

APPEAL NO. 2120 OF 2013

(Against the judgment/order dated 30-11-2011 inst Complaint
Case No. 164/2010 of the District Consumer Forum, Sultanpur)

Jalaluddin Proprietor Hind Refrigeration Centre
S/o Late Moinuddin
R/o House No. 1912
Mohalla Chikmandi, Khairabad
District Sultanpur

.....Appellant

Vs.

Radhey Shyam Singh
S/o Jung Bahadur Singh
R/o Village Ramgarh Mazre
Vishvesherganj, Tehsil Amethi
District Sultanpur

.....Respondent

BEFORE:

**HON'BLE MR. JUSTICE VIRENDRA SINGH, PRESIDENT
HON'BLE MR. R C CHAUDHARY, MEMBER
HON'BLE MR. SANJAI KUMAR, MEMBER**

For the Appellant : Sri Abhishek Singh, Advocate.

For the Respondent : Sri Dilip Mani, Advocate.

Dated : 11-10-2013

JUDGMENT

MR. JUSTICE VIRENDRA SINGH, PRESIDENT (ORAL)

Sri Abhishek Singh, learned Counsel for the appellant and Sri Dilip Mani, learned Counsel for the respondent have been heard and also perused the record.

After perusal of the record, we are convinced that the notice ~~might~~ ^{has} have been sent to the respondent in the name of Lalluji, while the name



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of the proprietor of the respondent is Jalaluddin. In these circumstances, we are convinced that the order passed exparte by the District Consumer Forum is liable to be set aside so that both parties may be given proper opportunity for hearing before the District Consumer Forum.

ORDER

The appeal is hereby allowed. The order dated 30-11-2011 is hereby set aside. The District Consumer Forum is directed to afford the proper opportunity to both the parties and to decide the case within three months after appearance of both the parties before the District Consumer Forum who are hereby directed to appear before the District Consumer Forum on 07-11-2013.

The statutory deposit made by the appellant in this Commission shall be remitted to the District Consumer Forum to be deposited for disposal subject to decision of the complaint case before the District Consumer Forum. Till then the deposits shall be kept in F.D.Rs.


(JUSTICE VIRENDRA SINGH)
PRESIDENT


(R C CHAUDHARY)
MEMBER


(SANJAI KUMAR)
MEMBER

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