

E. Sundaramoorthy Vs. the Management M/S. Rave Globels Ltd., and Another

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SooperKanoon Citation : sooperkanoon.com/1108270

Court : Tamil Nadu State Consumer Disputes Redressal Commission SCDRC Chennai

Decided On : Apr-02-2012

Judge : Honourable Thiru Justice R. Regupathi, President, Thiru a.K. Annamalai, M.a., M.L., M.Phil., Member Judicial

Appeal No. : F.A.NO.255 of 2011 (Against order in C.C.NO.111/20009 on the file of the DCDRF, Chennai (South))

Appellant : E. Sundaramoorthy

Respondent : The Management M/S. Rave Globels Ltd., and Another

Judgement :

(The appellant as complainant filed a complaint before the District Forum against the opposite parties praying for certain direction. The District Forum dismissed the complaint. Against the said order, this appeal is preferred praying to set aside the order of the District Forum dt.18.1.2011 in CC. No.111/2009.

This petition coming before us for hearing finally today. Upon hearing the arguments of the counsel on either side, perusing the documents, lower court records, and the order passed by the District Forum, this commission made the following order in the open court:)

R. REGUPATHI J, PRESIDENT (Open court)

1. The unsuccessful complainant is the appellant.
2. The complaint is filed seeking the provident fund benefits from the opposite parties.
3. Per contra, the 1st opposite party submitted that they paid Rs.50000/- as full and final settlement as per the order of the High Court in WP No.1584/2007.
4. The 2nd opposite party had stated that a claim form 19 and 10-C was forwarded to the complainant, which was not resubmitted by the complainant so far.
5. Now the appellant/ complainant made an endorsement that he is withdrawing the claim against the 1st opposite party, thereby he wants to give quietus to the appeal, by giving necessary directions in this regard.
6. As far as the 2nd opposite party is concerned, the learned counsel for the 2nd opposite party/ 2nd respondent, conceded to reconsider the claim of the complainant, if the complainant submit the required documents, as claimed in the written version. Accordingly, the appeal is allowed to that extent by dismissing the complaint against the 1st opposite party, directing the 2nd opposite party to receive the necessary claim relating to the pension of the complainant and consider the same, subject to the provisions of rules and regulations.
7. In the result, the appeal is disposed of, directing the appellant/complainant, to submit his claim with all relevant documents, to the 2nd opposite party, within two months, from the date of receipt of this order, and after his submission, the 2nd opposite party is directed to consider the claim, within 3 months from the date of his submission, and failing to submit the documents by the complainant, this appeal shall stand dismissed. There will be no order as to cost in this appeal.