

Joy John and Others Vs. Biju Thomas

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Court : Kerala State Consumer Disputes Redressal Commission SCDRC
Thiruvananthapuram

Decided On : Jul-22-2011

Judge : The Honourable Shri. Justice K.R. Udayabhanu President & the Honourable Mr. S. Chandra Mohan Nair Member

Appeal No. : First Appeal No. A/11/413 (Arisen out of Order Dated 28/02/2011 in Case No. CC/10/204 of District Wayanad)

Appellant : Joy John and Others

Respondent : Biju Thomas

Judgement :

JUSTICE SHRI. K.R. UDAYABHANU : PRESIDENT

The appellants are the opposite parties In CC.204/10 in the file of CDRF, Wayanad. The appellants are under orders to refund Rs.2,58,000/- with interest at 12% from 5/5/2007 and also compensation of Rs.10,000/-.

2. It is the case of the complainant that he deposited Rs.2,58,000/- attracted by the advertisement of the opposite party that the amount will be returned in double within two years and also that the lottery tickets will be purchased every week for a unit of Rs.1000/-. As the amount was not returned after expiry of the date of maturity he has sought for the return of the amount with interest at 18% and compensation of Rs.20,000/- etc.

3. The opposite party has denied offer of returning amount in double. It is also contended that the lottery tickets amounting to Rs.51,600/- was purchased.

4. Evidence adduced consisted of Ext.A1 series of receipts. The opposite parties have not adduced any evidence.

5. We find that the deposit stands proved from Ext.A1 series of receipts. There is no evidence to substantiate the contention that the lottery tickets were purchased for Rs.51,600/-. In the circumstances we find that there is no illegality in the order of the Forum. There is no scope for admitting the appeal.

In the result appeal is dismissed in-limine.

Office will forward a copy of this order to the Forum.

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