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Court : Kerala State Consumer Disputes Redressal Commission SCDRC
Thiruvananthapuram

Decided On : May-11-2011

Judge : The Honourable Shri. Justice K.R. Udayabhanu President

Appeal No. : Revision Petition No. RP/10/42 (Arisen out of Order Dated 30/07/2010 in Case No. CC/07/242 of District Thiruvananthapuram)

Appellant : C.Jayachandran

Respondent : M/S Sbi Cards and Payments Services Pvt.Ltd. and Another

Judgement :

JUSTICE SRI.K.R.UDAYABHANU :PRESIDENT

Revision petitioner is the complainant in CC.242/07 in the file of CDRF, Thiruvananthapuram. The respondents are ex-parte before this Commission.

2. The matter is with respect to the payment due as per the credit card facility provided by the respondent. The Forum has directed the complainant to pay Rs.40250/- to the opposite parties and the opposite parties are under direction to close entire transaction on receipt of the above payment and the time limit prescribed is one month failing which opposite parties would be entitled to collect the agreed rate interest from the complainant. The Forum has also ordered the

opposite parties to pay Rs.10000/- as compensation and Rs.2000/- as cost to the complainant.

3. Revision petitioner has sought for adjusting the amount of compensation and cost towards the amount due to the opposite parties. It is submitted that it would be difficult for the complainant to raise that much of amount to pay to the opposite parties. The complainant has also sought for setting aside the direction to pay interest at the rate allegedly agreed.

In the result the revision petition is allowed in the following terms. The complainant would be liable to remit Rs.28250/- ie, less the amount of compensation and costs. The opposite parties will not be entitled to collect any interest on the above amount. The complainant is permitted to remit the above amount in 6 equal monthly instalments. Revision petition is allowed accordingly.

Office will forward the LCR to the Forum alongwith the copy of this order.

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