

Niyas Ahammed Vs. the Manager, Muthoot Conventional Gold Loan Polayathode, Kollam

Niyas Ahammed Vs. the Manager, Muthoot Conventional Gold Loan Polayathode, Kollam

SooperKanoon Citation : sooperkanoon.com/1111121

Court : Kerala State Consumer Disputes Redressal Commission SCDRC Thiruvananthapuram

Decided On : Sep-15-2009

Judge : Justice Sri. K.R. Udayabhanu: President, Smt. Valsala Sarangadharan: Member

Appeal No. : First Appeal No. 355 of 08 (Arisen out of order dated 31/10/2008 in Case No. CC 23 of 07 of District Kollam)

Appellant : Niyas Ahammed

Respondent : The Manager, Muthoot Conventional Gold Loan Polayathode, Kollam

Judgement :

JUSTICE SRI. K.R. UDAYABHANU: PRESIDENT

The appellant is the complainant in CC.23/07 in the file of CDRF, Kollam. The matter relates to the dispute with respect to the interest charged on pledged ornaments. The Forum has dismissed the complaint holding that for the case of pledging only create relationship of creditor and debtor and hence the case is not maintainable.

2. Both sides have admitted that the position highlighted by the Forum is incorrect. It is settled law that the consumer disputes redressal agencies under the Consumer Protection Act has got jurisdiction in the above matters. In the result order the Forum is set aside. The matter is remitted back to the Forum. Forum is directed to adjudicate the matter on merits.

The case stands posted before the Forum on 2.11.09.

Office is directed to forward the copy of this order to the Forum urgently.

SooperKanoon - India's Premier Online Legal Search - sooperkanoon.com