

C. Sudhaker Vs. Dhl Express India Pvt. Ltd. and Another

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Court : Andhra Pradesh State Consumer Disputes Redressal Commission
SCDRC Hyderabad

Decided On : Mar-18-2014

Judge : Gopala Krishna Tamada, President, the Honourable Mr. Thota Ashok Kumar, Member & the Honourable Mr. S. Bhujanga Rao, Member

Appeal No. : FA 690 of 2013 against CC 160 of 2012, Dist. Forum, Ranga Reddy

Appellant : C. Sudhaker

Respondent : Dhl Express India Pvt. Ltd. and Another

Judgement :

Gopala Krishna Tamada, President

1) Complainant is the appellant and he questions the order dt. 27.6.2013 made in CC 160/2012 whereby the Dist. Forum, Ranga Reddy while holding that there is deficiency of service awarded only an amount of Rs. 10,000/- towards compensation/mental agony as against the claim of Rs. 5 lakhs.

2) The brief facts are that the complainant booked shipment of sari with blouse, artificial bangles and artificial chains weighing 1.50 Kgs in the office of Op1/R1 on 9.5.2012 by paying necessary charges. Despite the same, as they were not delivered to the addressee, the complainant brought it to the notice of Opposite Parties but the Ops stated that they were taken by the customs authorities, and further requested the complainant to collect the same from Customs Department.

As it is amounting to deficiency of service and the complainant was made to suffer a lot, he approached the Dist. Forum and raised the said dispute by filing the said complaint.

3) The same was resisted by the Opposite Parties by filing detailed written version. They admitted shipment etc., As per the written version the Opposite Parties stated that the shipment arrived into cargo and they required import and export code of the consignment to clear the shipment. As the same is a lengthy process the same is abandoned at Customs Department. In fact, they offered price of the consignment i.e., Rs. 3,735/- towards freight charges and Rs. 4,455/- towards invoice value of the shipment.

4) The complainant placed reliance on Exs. A1 to A24. Having considered the entire material on record, the Dist. Forum while directing the Opposite Parties to pay the said amount which the complainant incurred, awarded an amount of Rs. 10,000/- towards compensation for the mental agony.

5) As stated supra, the same is challenged before us.

6) Heard.

7) In our considered view, definitely the daughter of the complainant who was residing at Ukraine has not received the consignment sent by the complainant and definitely, she must have faced some mental agony and the complainant also must have faced some mental agony. But the figure of Rs. 5 lakhs as claimed by the complainant is exorbitant and imaginary. However, taking the totality of the facts and circumstances into consideration, we are of the view that the Dist. Forum should not have restricted the said compensation only to Rs. 10,000/- instead we hereby award a total amount of Rs. 25,000/- (Rupees Twenty Five Thousand Only) towards compensation inclusive of Rs. 10,000/- which was awarded by the Dist. Forum. With this modification, the appeal is disposed of accordingly. No costs. Time for compliance four weeks.