

Chitral Chadha Vs. the Principal, Appeejay College of Engineering

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SooperKanoon Citation : sooperkanoon.com/1148315

Court : Haryana State Consumer Disputes Redressal Commission SCDRC
Panchkula

Decided On : May-07-2014

Judge : Nawab Singh, President, the Honourable Mr. B.M. Bedi, Judicial Member
& the Honourable Mrs. Urvashi Agnihotri, Member

Appeal No. : First Appeal No. 320 of 2014

Appellant : Chitral Chadha

Respondent : The Principal, Appeejay College of Engineering

Judgement :

Nawab Singh, President (Oral):

1. This appeal has been filed by Chitral Chadha“complainant against the orders dated November 28th, 2013 and January 27th, 2014 passed by District Consumer Disputes Redressal Forum,(for short District Forum), Gurgaon, whereby, her complaint was dismissed in default and application for restorationof complaint was also dismissed.

2. Appellant filed complaint under Section 12 of the Consumer Protection Act, 1986 (for short the Act), before the District Forum alleging deficiency in service on the part of the opposite party (respondent herein) for not refunding the fee paid by him.

3. Learned counsel for the appellant has urged that the complaint be restored at its original number.
4. It is well settled principle of law that no party should ordinarily be denied the opportunity of participating in the process of justice dispensation. Therefore, this Commission deems it appropriate to restore the complaint of complainant.
5. Accordingly, the appeal is accepted and the orders dated November 28th, 2013 and January 27th, 2014 are set-aside and the complaint is restored at its original number.
6. Following *Batala Machine Tools Workshop Cooperative Vs. Presiding Officer, Labour Court, Gurdaspur* (CWP No.9563 of 2002) decided on June 27th, 2002 passed by a Division Bench of Honble High Court of Punjab and Haryana, this appeal is disposed of without issuing notice to the respondent with a view to impart substantive justice to the parties and to save the huge expenses, which may be incurred by the respondent as also in order to avoid unnecessary delay in adjudication of the matter.
7. Copy of this order be sent to the District Forum forthwith.