

DISTRICT CONSUMER DISPUTES REDRESSAL COMMISSION: NORTH-EAST**GOVT. OF NCT OF DELHI****D.C. OFFICE COMPLEX, BUNKAR VIHAR, NAND NAGRI, DELHI-93****Complaint Case No.130/23****In the matter of:**

Sh. Rajender Singh Raja

S/o Lt. Sh. Megh Singh

R/o I 26/1, St. No. 10, Brahmpuri,

Delhi-110053

Complainant

Versus

Vikas Travels

Through its Director/ Proprietor/ Owner

1. Owner (Bus No. AR 20 A 7031)

Through its Director/ Proprietor/ Owner

2. Conductor, Driver, Cleaner and Ticket Booker
(On duty (29.12.22) at Bus No. AR 20 A 7031)

Through its Director/ Proprietor/ Owner

3.

All at:-

Vikas Travels, Shop No. 53, Sindhi Bus Stand
below Rajputana Hotel, In front of out gate,
Sindhi Camp, Jaipur, Rajasthan-302006

Opposite Parties

DATE OF INSTITUTION: 12.05.23**JUDGMENT RESERVED ON: 18.01.24****DATE OF ORDER: 10.05.24****CORAM:**

Surinder Kumar Sharma, President

Anil Kumar Bamba, Member

Adarsh Nain, Member

ORDER**Anil Kumar Bamba, Member**

The Complainant has filed the present complaint under Section 35 of the Consumer Protection Act, 2019.

Case of the Complainant

1. The case of the Complainant as revealed from the record is that on 29.12.22 Complainant travelled on bus bearing no. AR 20A 7031 seat no. 20 having ticket no. 2678 from Jaipur to Delhi at 1:30 pm and Opposite Party gave assurance that the bus will drop at ISBT Kashmiri Gate. Thereafter, at around 8:00 pm at Dhaula Kuan, Delhi near Subroto park, Opposite Party No.1, 2 and 3 asked passengers to get off the bus as that was the last station/stand. When Complainant asked Opposite Parties that they gave assurance that the bus will drop him at ISBT Kashmiri Gate then Opposite Parties misbehaved and told that this bus will again leave for Jaipur from here. The Complainant called PCR at 112 then official of Police Station Cantonment came and on next day i.e. 30.12.22 a written complaint was lodged to SHO Police Station Cantonment. The Complainant stating that after boarding off the said bus the Complainant hired rickshaw to his residence Brahmpuri, Delhi and occurred expenses of Rs. 290/-. The Complainant had sent demand / complaint letter dated 01.02.23 via speed post and asked Opposite Party No.1 and 2 to pay Rs. 50,000/- within one week for the suffering caused to Complainant. The Opposite Parties had also sent reply which is false and frivolous. The Complainant had hired the bus from Jaipur to ISBT Kashmiri Gate but Opposite Parties drop him and other passengers at Dhaula Kuan, Delhi near Subroto park. Hence, this shows deficiency in service on behalf of Opposite Parties. The Complainant has prayed for Rs. 50,000/- for mental harassment and Rs. 50,000/- towards litigation expenses.
2. None has appeared on behalf of the Opposite Parties despite service of notice to contest the case. Therefore, Opposite Parties were proceeded against ex-parte vide order dated 17.08.23.

Ex- Parte Evidence of the Complainant

3. The Complainant in support of his case filed his affidavit wherein he has supported the assertions made in the complaint.

Arguments & Conclusion

4. We have heard the Complainant. We have also perused the file and the written arguments filed by the Complainant. The averments made by the Complainant in the complaint are supported by his affidavit and documents filed by him. The Opposite Parties did not appear and did not file any written statement. Therefore, the averments made in the complaint are to be believed.
5. In view of the above, the complaint is allowed. The Opposite Party No.1 and Opposite Party No.2 jointly and severally are directed to pay Rs. 10,000/- to the Complainant on account of deficiency in service and mental harassment with interest @ 9 % p.a. from the date of filing the complaint till

recovery. The Opposite Party No.1 and Opposite Party No.2 are further directed to pay Rs. 5,000/- jointly and severally to the Complainant on account of litigation expenses along with interest @ 9 % p.a. from the date of this order till recovery.

6. Order announced on 10.05.24.

Copy of this order be given to the parties free of cost

File be consigned to Record Room.

(Adarsh Nain)
(Member)

(Anil Kumar Bamba)
(Member)

(Surinder Kumar Sharma)
(President)