

National Consumer Disputes Redressal

Brij Mohan Singh vs Northland Sugar Complex Ltd. And ... on 12 September, 2003

Equivalent citations: IV (2003) CPJ 93 NC

Bench: K G Member, B Taimni

ORDER B.K. Taimni, Member

1. These four complaints have been filed by the complainant, Shri Brij Mohan Singh, alleging deficiency in service on the part of the respondents.

2. Brief facts of the case are that the complainant had the following number of shares for denomination shown against them :

3. It is the case of the complainant that he had purchased the shares about 7 or 8 years ago and met with him an unfortunate accident on 24th March, 1997 rendering him physically disabled. During his illness, these shares went missing. After 5 years of accident, he wrote to the Company for issue of duplicate shares but they are not doing so, thus alleging deficiency in service. This complaint has been filed in the year 2003 with following directions :

"(i) The respondent to issue the duplicate share certificate within 30 days.

(ii) Remitting the unclaimed dividends and bonus within 30 days.

(iii) For humiliating, discarding, neglecting nor replying the disabled/ crippled petitioner's request letters supported with authentic documents such as F.I.R., hospital discharge summary, signature verified certificate ordering the respondent to pay an exemplary monetary penalty compensation of Rs. 50 lakhs (Rupees fifty lakhs only) in the interest of justice, truth, deservingly rehabilitating a physically disabled, mentally crippled genuine and meritorious shareholder within 30 days. This amount will include the cost of the repeated request letters, petition, case expenses, torture, humiliation, injuries inflicted in the soul. I don't want to be a liability.

(iv) Being a physically disabled and mentally crippled praying for earliest instant justice.

(v) Any other relief and remedy this honourable Forum deem deserving for the sake of justice and truth may also please be granted."

4. Since the complaints are from the same person and deal with same point, we go on to dispose them off through a single order.

5. We asked the complainant's father, Authorised Representative, to kindly show us as to the market values of these shares and also give affidavit as to how he arrived at the figure of Rs. 50 lakhs for compensation. Authorised Representative was unable to give any affidavit. In fact we had engaged an Amicus Curiae to help his case but in the absence of any document or any affidavit in support of the claim we are of the view that the compensation in each of the case is being sought only to come within the jurisdiction of this Commission. The right course for the complainant would be to file the

complaint before a competent Court of jurisdiction. In no way we find that the 100 shares would have fetched him individually anything near the claimed amount to come within our pecuniary jurisdiction.

6. We see no merit in this complaint and they are dismissed with liberty to the complainant to file the complaint before a Forum of competent, pecuniary and territorial jurisdiction.