

EDUCATION SUB SECTOR

Sr. No.	Link	Sector	Brief fact of the case	Citation	Forum	Case no.	Date of judgment	Judgment with theme
1.	http://164.100.72.12/ncdrcrep/judgment/00141205102905768RP38462014.htm	EDUCATION	The complainant and his principal Mr. A. Srinivasan purchased a bus from the respondent Megma Shrachi Finance for a consideration of Rs. 2,40,000/- and took delivery of the said vehicle on 15.02.2007. According to the complainant at the time of purchase of the vehicle, he was informed by Megma Shrachi that the original invoice and the other papers would be given to him on 16.02.2007. But, the said documents including original invoice of the vehicle were not given, which resulted the complainant approaching the District Forum by way of a complaint, alleging deficiency in the service provided by the opposite party which included the petitioner Magma Fincorp. Ltd., (now Magma Finance Ltd.). The complaint was resisted by the petitioner Company, inter-alia, on the ground that the said vehicle was purchased for commercial purpose, a complaint before the consumer forum was not maintainable. They also denied any deficiency in the service rendered by them to the complainant.	<p>Sh. A. Sakthivel & Ors Versus M/s. Magma Fincop Ltd.</p> <p>M/s. Magma Fincorp Ltd. Versus Sh. A. Sakthivel & Ors.</p> <p>M/s. Magma Fincorp Ltd. Versus Sh. A. Sakthivel & Ors.</p>	<p>DISTRICT FORUM</p> <p>SCDRC TAMILNADU</p> <p>NCDRC</p>	<p>COMPLAINT CASE NO.</p> <p>FIRST APPEAL NO. 201/2011</p> <p>REVISION PETITION NO.3846/2014</p>	<p>29/06/2010</p> <p>22/07/2014</p> <p>02/12/2014</p>	<p>The District Forum allowed the complaint and directed the opposite parties no. 1 to 4 in the complaint which included the petitioner before this Commission to pay a sum of Rs. 2, 40,000/- to the complainant alongwith interest on that amount at the rate of 9% per annum from the date of filing of the complaint till the date of payment. The District Forum also awarded a sum of Rs. 15,000/- towards compensation and Rs. 5,000/- towards costs to the complainant.</p> <p>State commission dismissed the appeal and upheld the order of district forum.</p> <p>National commission did not allow the revision petition and find no merit in the revision petition and the same is hereby dismissed. On the ground that the petitioner Company was clearly deficient in rendering services to the complainant by not delivering the original invoice and other documents, required for registration of the vehicle in favour of the complainant.</p>
2.	http://164.100.72.12/ncdrcrep/judgment/00141112105333788RP389013.htm	EDUCATION	Brief facts of the case are that complainant/petitioner purchased a school bus AP-26X8346 from OP NO. 2/Respondent No. 2 manufactured by OP No. 1/Respondent No.1 on 7.7.2007 for a sum of Rs.7,35,659/- with 3 years warranty. Just after delivery, complainant found some defects in the bus and informed OP No. 2 and OP No. 2 advised	Chaitanya Educational Society Versus The Manager, Eicher Motors Ltd. & Ors.	DISTRICT FORUM	Complaint case no.		The district forum allowed complaint and directed OP jointly and severally to refund repair charges of Rs.61,405/- and to pay Rs.1500/- for to and from of the vehicle and Rs.20,000/- for mental agony and Rs.2,000/- as costs.

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			<p>complainant to approach OP No. 3/Respondent No.3. Complainant approached OP No. 3 who attended the bus. Later on, complainant found more defects in the vehicle and OP No. 2 attended defects, but just after covering 2000 kms. vehicle gave many troubles and complainant approached OP's workshop several times, but defects could not be removed. OP No. 3 asked complainant to bring the vehicle in his workshop and complainant kept his vehicle with OP No. 3 on 28.5.2009, but upto 19.6.2009, there was no response. Alleging deficiency on the part of OPs, complainant filed complaint before District Forum. OPs resisted complaint, admitted sale of vehicle, but submitted that warranty for 3 years was for engine and gear box and 12 months for rest of the vehicle. It was further submitted that vehicle was delivered on 7.7.2007 and complainant did not inform OP about water leaking from ceiling and unequal paint in the vehicle at the time of delivery. After running 3005 kms, complainant brought the vehicle complaining about steering vibration which was rectified. It was further submitted that every time complainant got vehicle serviced after running more than required kilometres. It was further submitted that vehicle was running in rural area on Katcha road, so, tyres developed heavy wear and tear and there was no manufacturing defect in the vehicle and prayed for dismissal of complaint.</p>	<p>The Manager, Eicher Motors Ltd. & Ors. Versus Chaitanya Educational Society</p> <p>Chaitanya Educational Society Versus The Manager, Eicher Motors Ltd. & Ors.</p>	<p>SCDRC Andhra Pradesh</p> <p>NCDRC</p>	<p>First appeal no.204/2012</p> <p>Revision petition no.</p>	<p>01/07/2013</p> <p>12/11/2014</p>	<p>State commission allowed the appeal and order directed OPs to check the school bus and pay amount of Rs.5,000/- as compensation.</p> <p>National commission did not allow the revision petition. Learned Counsel for the petitioner could not prove that any amount for repairs has been charged against the warranty conditions and learned State Commission rightly modified order of District forum. Ncdrc did not find any illegality, irregularity or jurisdictional error in the impugned order and revision petition is liable to be dismissed at admission with no order as to cost.</p>

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3.	http://164.100.72.12/ncdcrep/judgment/00141013104242851R P483312.htm	HIGHER EDUCATION	These are a set of 21 revision petitions filed by the Karnataka Housing Board (referred to as KHB in this order), arising from 21 complaints. The matter in all these complaints related to a residential layout taken up by the petitioner/KHB in Shimoga District. In response to a notification published in the local newspapers on 5.5.2004 and 5.6.2004, all Complainants had registered for allotment of house sites in the proposed layout. The KHB received not only the registration fee of Rs.1050/- but also initial deposit of Rs.15,000/- from every one of them in 2005. Later, it wrote to them seeking their consent for acceptance of allotment price at Rs.290 per sq. ft. The Complainants represented for reduction, but later accepted the rate of Rs.290/- per sq. ft. on 15.11.2007. No further communication was received by the Complainants from the KHB and therefore, they issued legal notice in January, 2011, which was not replied. It was in this background that all the consumer complaints came to be filed in 2011. District Forum, Shimoga in a detailed order rejected the contention of the KHB that the complaints are barred by limitation. It also held that the KHB had no valid reason for not allotting the sites after having received not only the registration amount, but also initial deposits from the Complainants.	Dr. Shantappa & Ors. Versus The Commissioner, Karnataka Housing Board & Anr. The commissioner, Karnataka housing board & anr. Versus Dr. Shantappa & Ors. The commissioner, karnataka housing board & anr. Versus Dr. Shantappa & Ors.	DISTRICT FORUM SHIMOGA SCDRC Karnataka NCDRC	COMPLAINT CASE NO. FIRST APPEAL NO.3925/2011 REVISION PETITION NO.4833/2012	24/08/2012 10/10/2014	District forum allowed the complaints and directed the OP/KHB to allot sites in the layout formed on the land in question by draw of lots if necessary and pay them Rs.2000/- each towards cost. Significantly, the District Forum also permitted the KHB to re-fix the price of the house sites, holding that determination of price was the prerogative of KHB. State commission dismissed the appeal and upheld the order of district forum. NCDRC did not find any illegality, material irregularity or jurisdictional error in the impugned order, which could justify intervention of this Commission in exercise of powers under Section 21 (b) of the Consumer Protection Act, 1986. Consequently, the revision petitions are dismissed for want of merit. It is also directed that Rs.10,000/- awarded towards litigation expenses to each respondent/complainant by this Commission on 6th February 2014, shall be paid by the revision petitioner/Karnataka Housing Board within two months from the date of this order, if not already paid.
4.	http://164.100.72.12/ncdcrep/judgment	UNIVERSITY	Facts in brief, relevant to decide this revision are; that the complainant/respondent, Prakash Kashinath Nanvare purchased tissue culture banana plants from Shri Dhanya Kumar Dagadu Salvithal, the	Prakash Kashinath Nanvare Versus Director Reliance Life Science	DISTRICT FORUM SOLAPUR	COMPLAIN T NO. 248/2007	12/03/2009	The District Forum held the OPs responsible for deficiency in service and directed the OPs to pay a sum of Rs.5, 40,000/- jointly and severally, Rs.50, 000/- for manures, wages and cultivation costs, along with interest @ 9% per annum, from

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	nt/00140808154029705RP486512.htm		Petitioner/OP-3, and paid Rs.21,150/-. The Petitioner-Reliance Life Sciences Pvt Ltd (OP-1) and Plant Tissue Culture Division (OP-2) together, grow those plantations. The complainant alleged that, he had planted the plants in his agricultural land, used manures and pesticides; and took all the precautions, as per the advertisement given by the Petitioners/OPs, and provided water to the plants through drip irrigation. However, there was no proper growth of the plants and 90% of the plants died. Hence, he approached the District Agricultural Officer, at Solapur. A Committee, consisting of District Agricultural Development Officer, Campaign Officer of Zilla Parishad, Solapur and the representatives of Mahatma Phule Zilla Agricultural University and Mahabeej, visited the Complainant's agricultural land. After the Inspection, the Committee concluded that the OP have not provided hardened tissue plants, hence, 90% of the plants died, and 10% living plants were not as per Standard of the tissue cultured plants. Hence, the complainant filed a complaint before District Forum, Solapur.	Pvt. Ltd. & 2 Ors. Director Reliance Life Science Pvt. Versus Prakash Kashinath nanvare Director Reliance Life Sciences Pvt. Ltd. & 2 Ors. Versus Prakash Kashinath Nanvare	SCDRC Mumbai NCDRC	FIRST APPEAL NO. 744/2009 REVISION PETITION NO.4865/2012	05/09/2012 04/08/2014	10.09.2007 and to pay a sum of Rs.21, 150/- being the cost of seeds and to pay Rs.5,000/- as costs of litigation. State commission dismissed the appeal and upheld the order of the district forum. NCDRC did not allow the revision petition. The OP is directed to comply with the order within 90 days from the date of receipt of this order; otherwise it will carry further interest of 9% p.a., till its realisation. No order as to costs.
5.	http://164.10.0.72.12/ncdrcrep/judgeme nt/00140325155430577RP323913.htm	UNIVERSITY	Facts in brief: The Complainant, Mr. Gurcharanjit Sharma, was examined by the Petitioner/OP-1, Dr. Chander Mohan, at Namita Hospital, Amritsar and advised a Cataract surgery on right eye. Accordingly, the operation was conducted by the OP-1 at Rattan Hospital, Amritsar on 4/10/2006 at about 8.30 a.m. The complainant paid Rs.3,000/- as a fee to Dr. Chander Mohan(OP-1). The OP-1 who was posted at Civil Hospital, Amritsar, was also practising privately. During post-operative period OP-1 did not attend the patient, despite several calls. OP-1	Gurucharnjit Sharma & Ors. Versus Dr. Chander Mohan Gurucharnjit Sharma & Ors. Versus Dr.Chander Mohan	DISTRICT FORUM SCDRC Punjab	COMPLAINT CASE NO. FIRST APPEAL NO.234/010	 29/07/2013	The District Forum dismissed the complaint with liberty to avail remedy before the civil court of competent jurisdiction. State commission allowed the appeal and held OP-1 liable for negligence and directed OP-1 to pay Rs.5 lakhs as lump-sum compensation to the complainant. The State Commission dismissed the complaint, qua, OP-2 and 3.

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			<p>was negligent during operation, hence, the Complainant lost eyesight and his eyes got damaged. Thereafter, the complainant/patient was referred to Dr. Om Prakash Satyam Netralaya, on 05.10.2006, where he was examined by the specialist of the hospital and was informed that he has lost the eyesight permanently. Therefore, alleging negligence on the part of OP-1, the complainant filed a complaint before District Consumer Disputes Redressal Forum (in short, 'District Forum') seeking total compensation to the tune of Rs.20 lacs.</p>	<p>Dr. Chander Mohan Vs Gurucharanjit Sharma & Ors.</p>	<p>NCDRC</p>	<p>REVISION PETITION NO.3239/2013</p>	<p>19/03/2014</p>	<p>NCDRC set aside the impugned order of State Commission and allow this revision petition and dismiss the complaint. No order as to costs.</p>