

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil) No.18246/1998

(From the judgement and order dated 09/09/1998 in RP 842/97
of The NATIONAL CONSUMERS DISPUTES REDRESSAL COMMISSION, NEW DELHI)

M/S.P.K.V.GROUP INDS.

Petitioner (s)

VERSUS

R.RADHAKRISHNA PILLAI AND ANR.

Respondent (s)

(With prayer for interim relief)
(For Final Disposal)

Date : 24/11/2000 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE S. RAJENDRA BABU
HON'BLE MR. JUSTICE B.N. AGRAWAL

For Petitioner (s)

Mr. G. Prakash, Adv.

For Respondent (s)

Mr. Subhash Sharma, Adv.
Mr. M.R. Vij, Adv.

UPON hearing counsel the Court made the following
O R D E R

.....L.....I.....J
.SP2

The complaint was made before the District Forum, Thiruvananthapuram on the ground that the respondent No.1 was misled by an advertisement showing a picture of two burner stove to indicate it has capacity of working 8 hours per one liter kerosene. The District Forum which examined the matter noticed the contention that the fuel efficiency for 8 hours is only under optimum test conditions, depending upon the evaporation due to atmospheric temperature, grade and purity

of the kerosene used. However, these aspects were not supported by ample material by the petitioner In these circumstances, the District Forum gave the relief to the respondents for replacement of the stove and also certain amount by way of compensation. So far as the relief given to the first respondent is concerned the same is now satisfied and it is made clear by the District Forum that the advertisement made by the petitioner should be more clear on the aspect noticed by it and advertisement should not be made

in a misleading manner. There cannot be any exception to this view taken concurrently by the District Forum and by the State Commission. We, therefore, decline to interfere with the order made by the Commission. The special leave petition is dismissed.

.....L.....I.....J
.SP1

Charanjit

[R.K. Soneja]
Court Master