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**NATIONAL CONSUMER DISPUTES REDRESSAL COMMISSION
NEW DELHI**

REVISION PETITION NO. 1301 OF 2015

(Against the Order dated 05/02/2015 in Appeal No. 251/2014 of the State Commission Tamil Nadu)

1. D. THIRUVATEESWARAN

L-13 A SARVAMANGALA COLONY, ASHOKNAGAR,

CHENNAI - 600 083

TAMIL NADU

.....Petitioner(s)

Versus

**1. CHIEF EXECUTIVE OFFICER, CENTRAL GOVT.
EMPLOYEES WELFARE HOUSING ORGANISATION
WELFARE HOUSING ORGANIZATION, 6TH FLOOR, A
WING JANPATH BHAVAN,
NEW DELHI - 110 001**

.....Respondent(s)

BEFORE:

HON'BLE MR. JUSTICE D.K. JAIN, PRESIDENT

HON'BLE MRS. M. SHREESHA, MEMBER

For the Petitioner : IN PERSON

For the Respondent : Mr. Abhijeet Sinha, Advocates

Dated : 20 Jul 2016

ORDER

Challenge in this Revision Petition by the Complainant, is to the order dated 5.2.2015, passed by the State Consumer Disputes Redressal Commission, Chennai (for short "the State Commission"), in FA/251/2014. By the impugned order, the State Commission has affirmed the order dated 29.4.2014 passed by the District Consumer Disputes Redressal Forum, Thiruvallur (for short "the District Forum") in CC/15/2013. By the said order, the District Forum had dismissed the Complaint filed by the Petitioner, wherein he had prayed for refund of a sum of ₹4,830/- along with interest, which was collected from him by the Respondent Organization as interest for late payment of the escalation charges.

Having heard Learned counsel for the parties, we are of the opinion that the Revision Petition is devoid of any merit.

Although both the Forums below have non-suited the Petitioner on the ground that the Complaint involves complicated questions of fact and also because of the existence of an Arbitration Agreement between the parties, but having perused the terms and conditions of the allotment of the flat under the Chennai Phase-II Housing Scheme, in particular, Clauses 18 thereof, we are of the view that there was no deficiency on the part of the Respondent Organization in recovering the said amount. Clause 18 clearly stipulates payment of interest on account of delay in payment of any instalment towards the cost of the flat, which obviously would include delay in payment of any instalment towards escalation charges.

Consequently, the Revision Petition fails and is dismissed accordingly.

.....J
D.K. JAIN