

**HIGH COURT OF JAMMU & KASHMIR AND LADAKH
AT JAMMU**

Reserved on: 29.01.2026
Pronounced on 05.02.2026
Uploaded on 05.02.2026

Whether the operative part or full
judgment is pronounced: **Full judgment.**

CJ Court:

WP(C) No. 2660/2019

1. Rattno Devi, aged 60 years, w/o ...Petitioner(s)/Appellant(s)
late Sh. Satya Pal Sharma, R/o
Village Smailpur, Tehsil Bari
Brahmana, District Samba.
2. Pankaj Kumar Sharma, aged 46
years S/o late Sh. Satya Pal
Sharma, R/o Village Smailpur,
Tehsil Bari Brahmana, District
Samba.
3. Suman Sharma, aged 55 years,
D/o late Sh. Satya Pal Sharma,
R/o Village Smailpur, Tehsil Bari
Brahmana, District Samba.

Through:

Mr. Amit Bhardwaj, Advocate

v/s

.... Respondent(s)

1. Mehta Investments/ Finance
Centre through its proprietor Mehta
Ajay Kapoor, Panjbakhtar Road,
Jammu.
2. Jay Pee Finance Corporation C/o
Mehta Investments through its
Proprietor Mehta Ajay Kapoor,
Panjbakhtar Road, Jammu.
3. J&K State Consumer Disputes
Redressal Commission, Jammu.

Through:

Mr. Virender Bhat, Advocate

**CORAM: HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE RAJNESH OSWAL, JUDGE.**

JUDGMENT

'OSWAL-J'

1. The predecessor-in-interest of the petitioners, namely Satya Pal Sharma (the original complainant) filed a complaint before the District Consumer Disputes Redressal Forum, Jammu (constituted under the J&K Consumer Protection Act, 1987) (hereinafter to be referred as "the Forum") against the respondents. He asserted that he had deposited a total amount of Rs.4,31,500/- on different occasions, duly substantiated by 21 receipts issued by the respondents. It was alleged that despite repeated demands, the respondents failed to refund the said amount alongwith the interest. Consequently, the complainant sought directions from the Forum to the respondents for payment of Rs. 5,70,659/- being principal amount alongwith accrued interest. He further claimed compensation to the tune of Rs.25,000/-.
2. The respondents filed their response, maintaining that all sums payable to the complainant regarding his deposits, including interest, have been fully discharged. Furthermore, the respondents asserted that the complainant signed cash vouchers confirming the discharge of all liabilities through full and final payment.
3. The learned Forum vide order dated 25.07.2015 dismissed the complaint filed by the complainant. It is pertinent to mention here that during the pendency of the complaint before the Forum, the original complainant

expired and was substituted by his legal representatives i.e. the petitioners herein.

4. Aggrieved by the dismissal of the complaint vide order dated 25.07.2015, the petitioners herein, preferred an appeal before the J&K State Consumer Disputes Redressal Commission, Jammu (for short “the Commission”). It was contended that during the course of arguments, learned counsel for the petitioners had specifically argued that the vouchers placed on record by the respondents were not genuine. In support of this contention, the petitioners placed on record the report regarding cash vouchers dated 12.11.2003 for an amount Rs. 1,29,000/- and dated 04.12.2003 for an amount of Rs. 13,050/-, wherein the handwriting expert opined that the signatures appearing on the said vouchers were not that of the original complainant.
5. The learned State Commission vide its order dated 19.12.2018 disposed of the appeal by directing the respondents to pay an amount of Rs. 1,39,159/- within four weeks alongwith interest @12% per annum to the petitioners.
6. Aggrieved of the order dated 19.12.2018, the petitioners have filed the present petition assailing the same, inter alia, on the ground that the learned State Commission failed to appreciate the controversy in its right perspective, particularly that the cash vouchers relied upon by the respondents were forged. It is further contended that the petitioners were kept in the dark by their counsel during the proceedings before the Forum.
7. Heard learned counsel for the parties and perused the record.
8. Before addressing the merits of this writ petition, it must be noted that this Court cannot act as a Court of appeal over factual findings made by the

Forum and Commission. Specifically, the Commission determined that the respondents repaid Rs. 4,31,500/- of the disputed Rs. 5,70,659/-, a fact substantiated by the acknowledgment receipts and cash vouchers provided by the respondents.

9. A perusal of the record reveals that even after the respondents filed their response to the complaint preferred by the complainant, no steps were taken by the petitioners to establish that the signatures on the vouchers were forged. The respondents filed the affidavit of Ajay Kapoor, witness, who was duly subjected to cross-examination. During his cross-examination, he specifically denied the suggestion that the payments made to the complainant after May, 2003 were on fictitious vouchers and further stated that he had no objection if the signatures on the vouchers were sent to a handwriting expert for examination. Another witness of the respondents, namely Suresh Sharma, during his cross-examination, stated that the vouchers were in his hand and bore his signatures.
10. The petitioners now contest only the genuineness of the signatures appearing on the vouchers. A review of the orders dated 25.07.2015 and 19.12.2018, however, confirms that the petitioners neither attempted to prove the vouchers were forged at that stage nor undertook any such effort before the Commission to substantiate the said allegations.
11. This Court finds no reason to show indulgence, particularly when the petitioners failed, both before the learned Forum as well as the State Commission, to establish the alleged forgery of the cash vouchers. Furthermore, the handwriting expert's report relied upon by the petitioners

was not proved in accordance with law and, in any event, was obtained only after the Forum had already dismissed the complaint.

12. In view of the foregoing discussion, we do not find any merit in the present petition. The same is found to be misconceived and is, accordingly, dismissed.

(RAJNESH OSWAL)
JUDGE

(ARUN PALLI)
CHIEF JUSTICE

JAMMU:
05.02.2026
Karam Chand

Whether the order is speaking: Yes
Whether the order is reportable: No

