

CCT/144/11/S

Grace Camilleri
Vs
Joseph Pitre' Limited

Illum 12 ta'Lulju, 2012.

It-Tribunal,

Ra t-talba ta' Grace Camilleri datata 5 ta'Frar, 2011 filwaqt li r-risposta tas-socjeta Joseph Pitre' Limited giet ipprezentata fit-3 ta'Gunju, 2011;

Ra d-dokumenti pprezentati inkluz ir-rapport tal-espert imqabbad minn dan it-Tribunal, sema' lill-partijiet u t-trattazzjoni taghha maghmula fit-8 ta'Gunju, 2012;

Ikkunsidra

Illi fi ftit kliem din il-pendenza tirrigwarda madum li wara li tpoqga, gie konfermat li l-kulur ma kienx kullimkien l-istess;

Illi jinghad mal-ewwel li fuq id-'delivery note' tas-socjeta intimata hemm imnizzel il-kliem "Goods, especially tiles, should be carefully checked before fixing. Complaints cannot be accepted once the tiles are laid" filwaqt li din id-'delivery note' datata 16 t'Awwissu, 2010 mhijiex iffirmata;

Illi jinghad ukoll li l-madam mixtri mill-attrici, ma servihix u ghalhekk regghet xtrat ftit madum iehor u skont Camille Pitre, dan kellu tonalita differenti ghax il-madam jinhadem f'"batches" differenti;

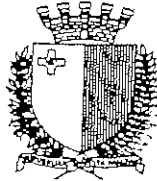
Illi jirrizulta li n-numru tat-tonalita jkun fuq il-kaxex tal-madam;

Illi primarjament, kien obbligu tas-socjeta konvenuta li tara li l-madam supplit ikun tal-istess tonalita u sussegwentement, dan kellu wkoll jigi kkonfermat mill-attrici;

Illi jinghad ukoll li min wahal il-madam seta' wkoll iccekkja li kollox hu uniformi qabel ma beda' t-twahhil;

Illi dan it-Tribunal jaghmel tieghu il-konkluzjonijiet tal-espert il-Perit Carmel Cacopardo;

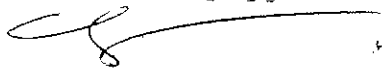
TRIBUNAL GHAL TALBIET
TAL-KONSUMATUR



CONSUMER CLAIMS
TRIBUNAL

MALTA

Ghaldaqstant ghar-ragunijiet fuq spjegati u fic-cirkostanzi tal-kaz u wara li ra l-Kap 378 tal-Ligijiet ta'Malta, it-Tribunal Jaqta' u Jiddeciedi billi Jilqa' parzjalment t-talba ta' Grace Camilleri u Jordna lis-socjeta Joseph Pitre Limited thallas lil Grace Camilleri is-somma ta' €1000, b'kull parti thallas l-ispejjez relattivi ta' dawn il-proceduri.


Richard Sladden Av.
Arbitru