Consumer Grievance Assistance Chatbot: Hi! I am your consumer grievance assistance tool. Kindly let me know how I can help you.

User: A company has lied to me about the weight that their vehicle can carry. What do i do?

Consumer Grievance Assistance Chatbot: Please elaborate on the problem you are facing; can you outline the details of the vehicle and the representations made to you?

User: I wanted to buy a Bharat Benz vehicle so I went to Katariya Motors Pvt. Ltd.. They told me that their vehicles have low maintenance costs, long life, better mileage and that it would have a laden weight of 16,200 kg and an unladen weight of 6,200 kg, enabling it to carry goods up to 10,000 kg. Since my old vehicle could carry 10 tons of goods, I was interested and booked their vehicle. They said they can deliver just the chassis of the vehicle first since the full body would take longer. To avoid delay, I said okay and purchased only the chassis. I got the body constructed separately later in December 2015.

Consumer Grievance Assistance Chatbot: When did you purchase the chassis and for how much?

User: I bought it on 25/11/2015 for Rs. 18,28,327 vide Invoice No. 325/2015-16.

Consumer Grievance Assistance Chatbot: When did you book their vehicle?

User: I booked it on 22/10/2015.

Consumer Grievance Assistance Chatbot: Okay. When and how did you discover that the actual weight the vehicle can carry differs?

User: I sent the fully constructed vehicle for RTO passing and there they found out that the actual unladen weight was around 8,610 kg. This meant the laden weight remained 16,200 kg, so the goods carrying capacity was only 7,590 kg instead of the promised 10,000 kg.

Consumer Grievance Assistance Chatbot: Did you bring this to the attention of Katariya Motors?

User: Yes. I immediately lodged my grievances with Katariya Motors and Daimler Financial Services, which had provided the vehicle loan. However, they failed to address the issue or provide any satisfactory response despite repeated complaints and correspondence from my end, so I left my vehicle with them. Katariya Motors then sent me a letter asking me to take the vehicle back saying that no cheating has been done

Consumer Grievance Assistance Chatbot: When did they send you this letter?

User: On 08/02/2016

Consumer Grievance Assistance Chatbot: I see. Based on the details you've provided, you have a valid case for seeking a refund and compensation under consumer protection laws. Are you considering mediation or alternative dispute resolution methods before taking legal action against the seller or dealership?

User: What is that?

Consumer Grievance Assistance Chatbot: Mediation is like a way to solve problems without going to court. In mediation, there are neutral people called mediators who help both sides talk and find a solution everyone agrees on. The Consumer Court can suggest mediation. But for this to happen, both sides must say yes to mediation. The process is similar to what I explained earlier, but in this case, the court picks the mediators. If everyone doesn't agree on a solution during mediation, then the case goes back to court for a decision. It is your choice as to what method you want to pursue.

User: What are my other options?

Consumer Grievance Assistance Chatbot: You can file a complaint before the Consumer Forum that has jurisdiction to hear your case. You can contact the [Gujarat Helpline](https://consumeraffairs.nic.in/consumer-corner/state-consumer-help-line) as well to lodge the complaint. This is their number: 1800-233-0222.

User: How do I go directly to court?

Consumer Grievance Assistance Chatbot: Before you file a complaint before the forum, you would have to send a notice to Katariya Motors and Daimler Financial Services. If you do not receive a satisfactory response, or if you do not receive a response from them at all, you can initiate legal action by approaching the consumer court. Do you want me to draft a notice for you?

User: Yes. Draft a legal notice for me.

Consumer Grievance Assistance Chatbot: In that case, I would require additional details such as your full name and address, the full name and address of Katariya Motors and Daimler Financial Services.

User: My name is Ajay Vinodbhai Patel and I reside at H-25, Kashidham Society, Nr. Punamnagar, B/h Akhand Savita Park, Sama Savli Road, Vadodara-08. Jagrut Nagrik, a public trust working as a voluntary consumer association located at Opp. LBS Vidhyalay, Nr. Prerna School, Sangam, Karelibaug Road, Vadodara, will also be a co-complainant filing on my behalf. The trust is represented through P.V. Moorjani.

Consumer Grievance Assistance Chatbot: what is the full name and address of the opposite parties?

User: The opposite parties are:

1) Katariya Motors Pvt. Ltd., Ranoli S.O., Vadodara

2) Katariya Motors Pvt. Ltd., 103/B, Zydus Cadula Plant, Chachawadi, Sarkhej Bawla Highway, Ahmedabad

3) Daimler Financial Services Pvt. Ltd., Unit 202 – 2nd Floor, Compus 3B, RMZ Milennia Business Park, No 143, Dr. MGR Road, Perungudi, Chennai – 600 096.

Consumer Grievance Assistance Chatbot: Thank you. Do you know what compensation you would like to receive?

User: Yes. I want them to return the costs of the vehicle (Rs.18,28,327/-) or replace the vehicle with one that meets the specifications promised within 10 days.

Consumer Grievance Assistance Chatbot: Okay. Do you want to send the notice physically or via email? If you want to send it via email, please provide me with the email ID that can be used if they want to send a reply.

User: I will send it physically.

Consumer Grievance Assistance Chatbot: Okay. You can access the [notice](https://docs.google.com/document/d/1bjTv-eQYRPk2KCH_bpuN3pJqHHAfqA57tdsLQtxcqRQ/edit) here. Please keep in mind that your signature is required in the notice. You can either take a printout of the notice and sign it, or else you can e-sign it. Also mention the date in the notice before you send it. If you don't receive a satisfactory response or if you don't receive a response within fifteen days, you can initiate legal action by filing a complaint before the consumer forum. Do you want me to guide you on how you can file a complaint?

User: Yes.

Consumer Grievance Assistance Chatbot: First, we have to determine which consumer forum has the jurisdiction to hear your case. The court can be identified on the basis of the location where either Katariya Motors and Daimler Financial Services or any of its branches are situated, or where you are residing or working. Since you are situated in Vadodara, would you like to file the case at Vadodara?

User: Yes

Consumer Grievance Assistance Chatbot: Do you want me to draft a pre-filled complaint that you can use? You will need to upload all relevant documents like proof of purchase, proof of damage, attempt to solve the problem, official communication from Katariya Motors and Daimler Financial Services here.

User: Okay

Consumer Grievance Assistance Chatbot: Do you have any documentary evidence to support your claims and the sequence of events you narrated, such as invoices, written communication, RTO reports etc.?

User: Yes, I have the following documentary evidence:

1. Invoice no. 325/2015-16 dated 25-11-2015 for chassis purchase

2. Retail invoice and receipt dated 30-11-2015

3. Bill from Navdurga Motors for body construction

4. RTO certificate and reports showing actual unladen weight

5. Copies of letters/notices to opposite parties and their replies

Consumer Grievance Assistance Chatbot: Thank you. You can access the pre-filled [complaint](https://docs.google.com/document/d/1xvw2j7Kga4OlacrS1YI9hbha-9IMGrDIEg61qeH2qX4/edit) here. Please fill in the details that have been left blank, such as the date and your signature. In addition to the complaint, you must also submit an affidavit and a document called the “Memorandum of Parties”. Do you want me to provide you with the pre-filled versions of the same?

User: Yes please

Consumer Grievance Assistance Chatbot: You can access the [Affidavit](https://docs.google.com/document/d/1C13vzoypmkA2V6OR5QHeSuRigeVCip30A5qLclKd7IA/edit) here and the [Memorandum of Parties](https://docs.google.com/document/d/1-o3qYN3JpBcqJzE8RqiAdKd1FV7uHH--d10U4YuVRFE/edit) here. You must fill in the details that have been left empty in both the documents. Further, you must get the affidavit notarised. After this, you can file your complaint on [E-daakhil](https://edaakhil.nic.in/), the portal for consumer redressal. Do you want me to provide you with a step-by-step guide on how to file your complaint on E-daakhil?

User: Yes

Consumer Grievance Assistance Chatbot: You have to follow these steps in order to file a complaint:

1. Create an account on E-daakhil.
2. Verify your email address and login
3. Go to “Consumer Complaint” and accept the terms and conditions by clicking the “accept” button after carefully reading the terms. If you have any queries regarding the terms, please let me know.
4. Click “Consumer Complaint” and enter the claim amount that you are seeking.
5. Select Gujarat as the State and Vadodara as the district. Click continue to proceed to the “Case Details” page.
6. On the “Case Details” page, enter all the necessary details and in case of any queries, please let me know.
7. In the “Party Name” section, enter “Katariya Motors Pvt. Ltd.” and “Daimler Financial Services Pvt. Ltd.”. In the “Advocate” Section, enter the details of your advocate and if you do not have an advocate, you can leave it blank.
8. In the “Complaint Section”, you can provide the following as your complaint:-

“The complainant states deficiency in services by delivering Bharat Benz vehicle with lower unladen weight and reduced goods carrying capacity than promised specifications. The complainant claims relief of replacement of vehicle with one meeting promised specifications of unladen weight 6,200 kg and goods carrying capacity 10,000 kg or refund of full purchase price of Rs.18,28,327/- with compensation.”

1. In the next section, enter the necessary details and attach a filled copy of the Complaint and the Affidavit along with the Memorandum of Parties.
2. In the next section, verify the details of your complaint and submit your complaint.
3. On the “Pending Complaints” page, you will be required to pay the necessary fees.

User: Got it. Thank you

Consumer Grievance Assistance Chatbot: Thank you for using the tool. Feel free to raise further queries anytime or you can log on to <https://consumeraffairs.nic.in/> or dial 1800-11-4000 (National Consumer Helpline) for more information.