**Complaint**

**BEFORE THE DISTRICT CONSUMER DISPUTES REDRESSAL COMMISSION, COSMOS**

**Complaint No. \_\_\_\_\_\_ of 20\_\_**

**Bruno,**  
Aged 45 years,  
Occupation: Graphic Designer,  
Residing at 56/879, 4th Street, Sunset Avenue, Cosmos-32,  
...Complainant

**Vs.**

**XYZ Food Machinery,**  
2nd Cross Street, Jeevan Nagar, Cosmos-60,  
...Opposite Party

**COMPLAINT UNDER SECTION 35 OF THE CONSUMER PROTECTION ACT, 2019**

**RESPECTFULLY SHOWETH:**

1. The complainant visited the factory of the Opposite Party on 14/05/2022 and placed an order for a Mango Food Processing Unit, including a tray dryer machine and two other machines, for a total consideration of Rs 1,50,000/-.
2. The payment was completed by the complainant in two transactions on 18/05/2022 and 20/05/2022.
3. Upon receipt of the machinery on 20/06/2022, it was discovered to be second-hand and in a non-usable condition.
4. This issue has caused not only a direct financial loss but also additional losses of Rs 50,000 due to the spoilage of raw materials, which were procured in anticipation of the timely setup of the processing unit.
5. Despite assurances from the Opposite Party to replace the machine within 25 days following an email dated 21/06/2022, no replacement has been received. Further communications from the complainant have gone unanswered.
6. **CAUSE OF ACTION** arose on 14/05/2022, when the order was placed, and has been ongoing due to the Opposite Party's failure to provide a satisfactory resolution.
7. **JURISDICTION:** The Hon'ble Commission has jurisdiction as the cause of action, partly or wholly, arises within its territorial limits.
8. **LIMITATION:** The complaint is filed within the prescribed period of limitation under the Act.
9. **COURT FEE:** Not applicable as the value of the claim is below Rs 5 lakhs.

**PRAYER:** The complainant prays for the Commission to:

* Direct the Opposite Party to pay compensation of Rs 5,00,000 for mental distress and Rs 10,000 for legal expenses.
* Order the Opposite Party to replace the defective machine with a new one or refund the full payment of Rs 1,50,000.
* Provide any other relief deemed just and proper.

**PLACE:** Cosmos  
**DATE:** [Date of Filing]

**[Signature of the Complainant]**  
Bruno