**BEFORE THE DISTRICT CONSUMER DISPUTES REDRESSAL COMMISSION**

**AT COSMOS CITY**

**CONSUMER COMPLAINT NO. \_\_\_\_\_\_of 2023**

**IN THE MATTER OF:**

From,

Bruno,

Age: 45 years,

Occupation: Graphic Designer

56/879, 4th Street, Sunset Avenue,

Cosmos- 32.

Complainant

Versus

Manager

Elegance Private Limited,

2nd Cross Street, Jeevan Nagar,

Cosmos-60

Opponent

COMPLAINT UNDER SECTION 35 of CONSUMER PROTECTION ACT

MOST RESPECTFULLY SHOWETH:

1. The address of the Complainant for the purpose of service of summons, notice, etc is as shown in the cause title above and that of his counsel
2. The address of the Opponents for the very purpose is the same as shown in the cause title above.
3. Herein the above-named Complainant most respectfully submits as under,
4. That the Complainant is a graphic designer residing at the address mentioned above and the Opposite Parties' addresses are correctly shown above within the jurisdiction of this Hon'ble Commission.
5. The complainant is a consumer of the services of the opposite party as he has purchased products offered by the opponent.
6. That the Complainant paid the required amount for the products and to avail of the gift offer as demanded by the opponent.
7. However, the complainant did not receive any update from the opponent with regard to the products he purchased.
8. That the complaiannt received the refund code but when he used it an additional amount of Rs 10,000 was debited from my account.
9. That when the complainant contacted the opposite party, he was told that the time period for the transaction had expired and that a new code would be generated and shared, but a new code was not shared with the complainant even after 10 days from the date of incident.
10. That the complainant sent multiple emails to the opposite party regarding the refund of the sums of money already paid, but received no response.
11. That the complainant sent a legal notice on 20/09/2021 (20th September 2021) whereby the company was advised to comply with the request for returning the money paid towards the purchase of the products. Moreover, Rs 1,00,000/- was sought as compensation, but no response as yet.
12. That the actions of the opponents show a clear deficiency in service due to which the Complainant has suffered immense mental agony, inconvenience, and financial loss.
13. Left with no other recourse, the complainant has approached this Commission seeking justice.
14. It is submitted that the present complianant is filed within the limitation period of 2 years from the cause of action that arose as prescribed under section 69 of the Consumer Protection Act 2019.

**CAUSE OF ACTION**: The cause of action arose on 20/06/2020 when the complainant sent a legal notice to the opposite party to rectify the issue but the opposite party did not provide him with a response.

**JURISDICTION**: The consideration paid by the complainant for the trip is less than Rs. 50 lakhs and the opponent resides within the territorial limits of this Hon’ble Commission. Hence this Hon’ble Commission has jurisdiction to try and entertain this complaint.

**COURT FEE:** That the Complainant is complying with the Court Fees Mandated under Rule 7 of the Consumer Protection (Consumer Dispute Redressal Commission) Rules, 2020.

**EVIDENCES**:

Ex.A-1: Original bill/invoice

Ex.A-2: Pamphlets/brochures issued for the trip

Ex.A-3: Photocopy of Tickets.

Ex.A-4: Photocopy of the Copy of the emails sent to the opposite party

Ex.A-5: Original legal notice

**PRAYER**:

In the circumstances stated above, the Complainant prays that the Hon'ble Commission may be pleased to:

a) Direct the Opposite Parties to resolve the issue and grant the legitimate refund Rs 29,999/-, the price paid by the complianant6 for the purchasee of the products.

b) Award compensation for mental agony and financial loss suffered by the Complainant at Rs. 100000/-

c)Pass any other order as this Hon'ble Commission may deem fit and proper in the facts and circumstances of the case.

Place: City of Cosmos (Signature)

Date: Complainant

Verification

Herein I, Bruno, do hereby state on the solemn affirmation that the contents of the above paragraphs are read over and explained to me in my vernacular. The same are found to be true and correct to the best of my knowledge, belief, and information.

CITY OF COSMOS Complainant

/0 /2024

DRAFTED AND PRESENTED BY

ADV. XYZ