**fBEFORE 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

Cenza Insurance 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 taken up a mediclaim policy offered by the opponent with the Policy ID: 664238419.
6. That the Complainant paid all the premia on time and that the Complainant incurred the hospital expenses for the chest pain within the validity period i. e.,01/07/2012 to 30/06/2045.
7. However, the complainant claimed reimbursement of the expenses incurred by him, however, his claim was repudiated.
8. That the complainant sent many emails dated 05/12/2022, 08/12/2022, and 10/12/2022 regarding the claim amount, but did not receive a reply.
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 a legal notice on 23/04/2022 (23rd April, 2022) whereby the opposite party was advised to comply with the request for settling the claim, and also pay Rs 1,00,000/- as compensation but no response as yet.
11. 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.
12. Left with no other recourse, the complainant has approached this Commission seeking justice.
13. It is submitted that the present complainant 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 08/02/2022 when the complainant’s claim was repudiated.

**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: Photocopy of the Insurance Policy

Ex.A-2: Hospital bills (original)

Ex.A-3: Photocopy of Medical prescription

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

Ex.A-5: Original legal notice

Ex.A-6: Reply letter of the opposite party

**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 of Rs 30,000/-, the expenses incurred by the complainant for the medical bills.

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