**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

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 commercial vehicle package policy for his vehicle vide insurance policy no. 07/23/3457/123-000000228 w.e.f 23/05/2020 to 22/05/25 offered by the opponent.
6. That the The insurance policy covered own damage, losses, and third-party liabilities arising out of the use of the said vehicle with an IDV Value of Rs 12,40,000/-
7. However, when the complainant claimed the insurance money from the opponent and submitted all the required documents, his claim was repudiated on some measly grounds,
8. That the complainant sent multiple emails to the opposite party narrating the issue, but received no response.
9. That the complainant sent a legal notice on 10/04/2020 (10th April, 2020) whereby the company was asked to settle the claim amount, and also pay Rs 1,00,000/- as compensation, but no response as yet.
10. The incident happened within the jurisdiction of Cosmos police station, and the matter was brought to the attention of the police and the insurer immediately.
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 10/04/2020 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: Insurance policy (original)

Ex.A-2: Receipt for the premiums paid

Ex.A-3:Photocopy of the emails sent to the opposite part

Ex.A-4: 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 12,40,000/-/-, the price of the vehicle paid my the complainant.

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