**BEFORE THE HON’BLE DISTRICT CONSUMER DISPUTES REDRESSAL COMMISSION AT MOGA**

**IN RE: COMPLAINT NO. \_/20**

**IN THE MATTER OF:-**

Pritpal Singh Kambo,

Businessman, aged 48 years,

S/o Harbhajan Singh Kambo,  
Ward No. 03, House No. 551, Street No. 06,  
Dashmesh Nagar, Moga, Punjab ...Complainant(s)

Versus

Aggarwal Travels,  
Chamber Road, Moga,  
Proprietor: Sunil Aggarwal ...Opp.Party(s)

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

**RESPECTFULLY SHOWETH:**

1. That the Complainant herein, Mr. Pritpal Singh Kambo, s/o Harbhajan Singh Kambo, aged about 48 years, is a businessman residing in Ward No. 3, House No. 551, Street No. 6 of Dashmesh Nagar, Moga, Punjab. The Opposite Party herein, M/S Aggarwal Travels, is a sole proprietorship being run through its proprietor Mr. Sunil Sharma, which is engaged in providing tourism services and is situated on Chamber Road, Moga, Punjab.
2. That the Complainant purchased the return tickets of British Airways to India from Dubai using the services of the Opposite Party herein. The Complainant purchased the air tickets for his two children, his wife and himself for the tune of 6,13,000 Rs. and paid an additional amount of 50,000 Rs. in service charges, including taxes.
3. That the Complainant made the payment of 6,63,000 Rs. on three different dates: 1,25,000 Rs. on 29.11.2019, 4,63,500 Rs. on 4.12.2019, and 75,000 Rs. on 6.1.2022. The Complainant, after each instance of payment, received an acknowledgement from the Opposite Party.
4. That due to the Covid-19 pandemic, the government imposed a lockdown due to which flights were cancelled. Owing to the lockdown, the Complainant cancelled the return tickets from Dubai, and raised a request for refund through the customer car service of the Opposite party since the terms and conditions of the services include a refund of the amounts incurred for the tickets if they were to be cancelled.
5. That despite several requests for a refund, the Opposite Party is only willing to offer vouchers. This does not only go against the terms and conditions set out in the agreement that the OP has entered into with the Complainant, but is also causing severe mental agony and trauma to the Complainant.
6. **CAUSE OF ACTION**: The Opposite Party, by refusing to refund the amount for the canceled flights despite the refund policy specifying so, and offering vouchers instead, has caused mental agony and distress to the Complainant, amounting to a deficiency in service. Thus, the Complainant has the right to seek redressal under the Consumer Protection Act, 2019.
7. **EVIDENCE:** The Complainant attaches herewith the booking receipts, proof of payments totalling 6,63,000 Rs., the terms and conditions specifying the refund policy, proof of cancellation of flight operations and emails exchanged with the Opposite Party regarding the flight cancellations and refund requests.
8. **JURISDICTION**: The Hon’ble District Consumer Disputes Redressal Commission at Moga has pecuniary as well as territorial jurisdiction to conduct an inquiry and adjudicate the present dispute. Since the Complainant and the Opposite Party are both based in Moga, the Commission has territorial jurisdiction to deal with the same. Further, the consideration is within the pecuniary limit established under the Consumer Protection Act, 2019.
9. **LIMITATION:** The Cause of Action is continuous as the Opposite Party persistently refuses to refund the amount for the air tickets. Thus, the Cause of Action is within the two-year limitation period specified under Section 69 of the Consumer Protection Act, 2019.
10. **COURT FEE:** The Complainant is complying with the Court Fees Mandated under Rule 7 of the Consumer Protection (Consumer Dispute Redressal Commission) Rules, 2020.
11. **PRAYER:** The Complainant seeks the following reliefs from this Hon’ble Commission:-

A. Direct the Opposite Party to initiate a full refund of the total amount of 6,13,000 Rs. for the air tickets; and

B. Direct the Opposite Party to pay compensation to the Complainant to the tune of 2,00,000 for mental agony; and

C. Grant any other relief that the Hon’ble Commission deems fit.

PLACE: Moga, Punjab  
DATED: SIGNATURE OF THE COMPLAINANT

**VERIFICATION:-**

I, Pritpal Singh Kambo, s/o Harbhajan Singh Kambo, residing in Ward No. 3, House No. 551, Street No. 6 of Dashmesh Nagar, Moga, Punjab, do hereby solemnly affirm that the facts stated above in paras 1 to 9 are true to the best of my knowl­edge and based on the records maintained by me, which I believe to be true.

Verified at, on this \_ day of \_\_\_

**ANNEXURE OF EVIDENCE**