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

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

**IN THE MATTER OF:**

Jasdeep Singh,

Businessman, aged 44 years,

S/o Sukhcharan Singh,

H. No. 111, Ward No. 3,

ABC Nagar, Moga ...Complainant(s)

Versus

Chinu Air Conditioners,

Jawahar Nagar, Moga,

Punjab ...Opp.Party(s)

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

**RESPECTFULLY SHOWETH:**

1. That the Complainant herein, Mr. Jasdeep Singh, S/o Sukhcharan Singh, aged about 44 years, is a businessman residing in House No. 111, Ward No. 3, ABC Nagar, Moga. The Opposite Party herein, Chinu Air Conditioners, situated in Jawahar Nagar, Moga, is engaged in providing insurance services.
2. That the Complainant purchased, vide Invoice No. XXX, dated 26.3.2022, purchased two Air Conditioners from the Opposite Party. Based on the misrepresentation carried out by the Opposite Party, the Complainant was made to believe that he was purchasing two original and authentic Air Conditioners manufactured by Mitsubis.
3. That the Complainant soon after the purchase started experiencing cooling issues with one of the Air Conditioners, for which he contacted the Opposite Party to rectify the same. The Opposite Party sent a mechanic on 30.3.2021 and despite the same, the issue with the Air Conditioner persisted.
4. That since the Complainant was under the impression that the Air Conditioners were manufactured by Mitsubis, the Complainant approached the office of Mitsubis on 21.4.2022 to raise a complaint regarding the low-quality cooling of the Air Conditioners. However, to the shock of the Complainant, he was informed that the said Air Conditioners were not manufactured by Mitsubis.
5. That the Complainant soon thereafter contacted the Opposite Party to either replace the Air Conditioners with original ones or to refund the amount paid in consideration for them, the Opposite Party showed no inclination for the same.
6. **CAUSE OF ACTION**: That the action of the Opposite Party amounts to an unfair trade practice due to the misrepresentation carried out. Further, the refusal to carry out replacement/ refund also amounts to a deficiency of service.
7. **EVIDENCE**: That the Complainant attaches herewith the Invoice dated 26.3.2022, communication exchanged with the Opposite Party regarding the sale of fake ACs, pictures of the ACs and a letter from Mitsubis stating that the ACs have not been manufactured by them.
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 is residing in Moga, the said commission has the territorial jurisdiction to hear the case. Further, the consideration is within the pecuniary limit established under the Consumer Protection Act, 2019.
9. **LIMITATION**: The Cause of Action arose on 26.3.2022 when the Air Conditioners were sold. Further, the Cause of Action got renewed with the deficient services provided by the OP. 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 Parties to replace Air Conditioners sold to the Complainant; and

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

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

PLACE: Moga, Punjab  
DATED: SIGNATURE OF THE COMPLAINANT

**VERIFICATION:**

I, Mr. Jasdeep Singh, S/o Sukhcharan Singh, residing in House No. 111, Ward No. 3, ABC Nagar, Moga, Punjab, do hereby solemnly affirm and declare that the facts stated above in paras 1 to 11 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**