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

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

**IN THE MATTER OF:**

Kulwant Singh,

Accounts Manager, aged 38 years,

S/o Jagjit Singh,

Village Patto Hira Singh,

Near Hira Singh Wala,

Moga,

Punjab …. Complainant(s)

Versus

M/s Jaidka Courier Service,

Moga Road,

Bagha Purana,

Moga,

Punjab …Opp. Party(s)

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

**RESPECTFULLY SHOWETH:-**

1. That the Complainant herein, Kulwant Singh, S/o Jagjit Singh, aged about 38 years old, is an Accounts Manager at DEF Corporation and is residing in Village Patto Hira Singh, near Hira Singh Wala, Moga Punjab. The Opposite party, M/s Jaidka Courier Service, is a sole proprietorship, engaged in providing courier services, with its office on Moga Road, Bagha Puarana, Moga.
2. That on 15.7.2022, the Complainant engaged the services of the OP to send a parcel to his friend who is situated in Doha, Qatar. In order to establish a contract between the two, the Complainant paid 4,000 Rs. via PhonePe to the OP and was issued an invoice with the Order No. 111. The Complainant was also given a tracking number- 222.
3. That the Complainant, in furtherance to the terms agreed, handed over food supplements to the tune of 23,400 Rs. to the OP so that the same could be delivered to the Complainant’s friend. The OP assured the Complainant that the same would be delivered in one week’s time and that the Complainant could track the delivery using the tracking number provided by the OP.
4. That, however, the Complainant’s friend did not receive the said parcel within a week and that the Complainant could not identify the status of the delivery since the tracking number which was provided by the OP did not return a result to the Complainant, as it merely displayed a blank screen.
5. That the Complainant wrote two letters to the OP, dated 9.9.2022 and 1.11.2022 requesting the OP to take the matter with serious concern and examine the status of the parcel. However, the Complainant has not received a response to either of the letters.
6. **CAUSE OF ACTION**: That the Cause of Action in the present case is a deficiency of service on part of the OP.
7. **EVIDENCE**: That Complainant attaches herewith the invoice, which encompasses the guarantee that the delivery would be made within one week and the tracking number. In addition to the same, the Complainant is also attaching copies of the letters written to the OP on 9.9.2022 and 1.11.2022.
8. **JURISDICTION:** That 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 established under Section 34 of the Consumer Protection Act, 2019.
9. **LIMITATION PERIOD:** That the Cause of Action arose when the Complainant availed the services of the OP on 15.7.2022. Further, since the Complainant has not received a response to the letter dated 1.11.2022, the same has renewed the limitation period. 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:
12. Direct the Opposite Party to compensate the Complainant for the service fee and value of the goods handed over, which is cumulatively to the tune of 27,400 Rs; and
13. Direct the Opposite Party to pay compensation to the tune of 20,000 Rs. for the mental agony suffered by the Complainant; and
14. Grant any other relief that the Hon’ble Commission deems fit.

PLACE: Moga, Punjab  
DATED: SIGNATURE OF THE COMPLAINANT

**VERIFICATION:**

I, Kulwant Singh, S/o Jagjit Singh, is residing in Village Patto Hira Singh, near Hira Singh Wala, Moga Punjab, do hereby solemnly affirm and declare that the facts stated above 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**