**BEFORE THE CONSUMER DISPUTES REDRESSAL DISTRICT FORUM AT LATEHAR, JHARKHAND**

**CC.No.\_\_\_\_\_\_\_\_\_\_\_\_\_\_/20\_\_**

Vijay Prasad

S/o Sri Kedar Prasad

Village- Chatnahi

District- Latehar, Jharkhand

Age: [Enter Age]

Occupation: [Enter Occupation] Complainant

Versus

PK Enterprises

Kachahari Road

National Motor Gali

Bhutha Talab, Ranchi- 834001 … Opposite Party

This complaint under section 35 of the Consumer Protection Act, 2019, is presented on the grounds stated herein under:-

1. That the Complainant is a citizen on India residing in Village- Chatnahi, District- Latehar, Jharkhand and the Opposite Party abovenamed, is a machinery seller registered in India and having its office at Kachahari Road, National Motor Gali, Bhutha Talab, Ranchi- 834001.

2. This complaint relates to the faulty original spring and replacement springs in the machinery the complainant purchased.

3. The complainant purchased machineries and accessories from the opposite party seller on 13.04.2021. The receipt of the purchase is attached as Annexure A.

4. However, upon installation of the car repair machinery which cost Rs. 65460, its main spring broke down. The complainant reported it to the seller and he sent me a replacement spring. However, that too broke down. The complainant kept on receiving similar low-quality faulty springs as a replacement. I kept on demanding for original replacement spring from the seller but he did not send me one. The whatsapp chats between the complainant and the opposite party are attached as Annexure B.

5. The complainant has already suffered a massive loss due to the faulty machinery, and the complainant’s newly started business is struggling

6. The opposite party, involved in the business of selling machinery, has a responsibility to provide machinery in appropriate condition and provide replacement support in case of faulty products. The opposite party has been deficient in offering this service. The complainant is entitled to get a refund of the entire amount.

7. The total consideration paid by the Complainant for the purchase is Rs.65,460/- which is less than Rs. 50 lakhs. The complainant resides in and the cause of action arises in Latehar. Hence the district forum has the jurisdiction to try and entertain this complaint.

8. The complainant has not filed any complaint having the same cause of action in any other forum or court.

9. The cause of action arose on 13.04.2021 which is within the limitation period prescribed under section 69 of the Act. Hence, the claim in the complaint is not barred by the law of limitation.

10. The Complainant is complying with the Court Fees Mandated under Rule 7 of the Consumer Protection (Consumer Dispute Redressal Commission) Rules, 2020.

11. In the circumstances, the Complainant therefore prays that:

a. the opposite party be directed to refund the entire purchase amount of Rs. 65,460/-;

b. the Opposite Party be directed to pay to the Complainant the sum of Rs. \_\_\_\_\_\_\_\_/- being the cost of the legal expenses borne by the Complainant;

c. the opposite party be directed to pay to the complainant the sum of Rs. \_\_\_\_\_\_\_\_/- being the cost of visiting the opposite party, phone calls, follow up and mental agony and harassment suffered by the Complainant due to negligence and deficiency in service by the opposite party.

d. any other relief deemed fit and proper in the circumstances of the case.

Dated this day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**COMPLAINANT**

**VERIFICATION**

I, Vijay Prasad, s/o Sri Kedar Prasad, Village- Chatnahi, District- Latehar, Jharkhand, do hereby solemnly declare and state that what is stated in paragraphs no.1 to 11 of the above complaint is true to my own knowledge and what is stated in the remaining paragraphs is stated on information and belief and I believe the same to be true.

Solemnly declared at Latehar

this day of \_\_\_\_\_\_ 2024

Complainant