**BEFORE THE CONSUMER DISPUTES REDRESSAL DISTRICT FORUM AT KAPURTHALA, PUNJAB**

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

Ashwani Kumar

R/o VPO Tibba

Tehsil Sultanpur Lodhi, District Kapurthala

Phone number: [phone number]

Age: [Enter Age]

Occupation: [Enter Occupation] Complainant

Versus

M/s Arora Telecom

Near Hans Raj Paramjit Karyana Store

Main Bazar Sultanpur Lodhi

Kapurthala

Phone- 8872390786 … 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 VPO Tibba, Tehsil Sultanpur Lodhi and District Kapurthala and the Opposite Party abovenamed, is a mobile phone retail shop registered in India and having its office at Main Bazar Sultanpur Lodhi, Kapurthala.

2. This complaint is about the purchase of a phone with a manufacturing defect.

3. The complainant bought a Samsung A30 phone from the opposite party on 15.05.2019 for Rs. 14600. The opposite party told me that this is the best phone in the segment. The receipt of the purchase is attached as Annexure A.

4. After a few days, it started creating issues. The screen stopped working. The complainant informed the opposite party on 02.11.2019 and they told the complainant that the defect would be resolved as the device was within warranty. It turned out that the phone had an inherent manufacturing defect. The seller informed the complainant that he would not be able to resolve the issue, leaving the complainant with a stopped screen.

5. The opposite party, involved in the business of electronic retail, has a responsibility to ensure that the products sold are in working condition and do not have any defects. Further, there is a responsibility to provide adequate support and service in case the product has a problem without any fault of the customer. The complainant is entitled to the insurance claim amount.

6. The total consideration paid by the Complainant for the purchase is Rs.14,600/- which is less than Rs. 50 lakhs. The complainant resides in, the opposite party carries on business in and the cause of action arises in Kapurthala. Hence the district forum has the jurisdiction to try and entertain this complaint.

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

8. The cause of action arose on 02.11.2019 which is within the limitation period prescribed under the Act. Hence, the claim in the complaint is not barred by the law of limitation.

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

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

a. the opposite party be directed to replace the defective device.

b. or, in the alternative, refund the entire amount of purchase;

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, Ashwani Kumar r/o VPO Tibba, Tehsil Sultanpur Lodhi and District Kapurthala, do hereby solemnly declare and state that what is stated in paragraphs no.1 to 10 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 Kapurthala

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

Complainant