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

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

Tarsem Singh

S/o Mohinder Singh

R/o VPO Kanjli

District Kapurthala

Phone: 99157-90188

Age: 57 years

Occupation: Farmer … Complainant

Versus

M/s J.M. Agro Sales

Nakodar Road

Near New Sabzi Mandi, Kapurthala … 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 of India residing in VPO Kanjli, Tehsil & District Kapurthala, and the Opposite Party abovenamed, is a tractor seller registered in India and having its office at Nakodar Road, Near New Sabzi Mandi, Kapurthala.

2. This complaint relates to the deficiency in service of the opposite party faced by the complainant and the unfair trade practice employed by them.

3. The complainant purchased a brand new tractor of Sonalika brand with Model DI750RX on 01-06-2020 for Rs. 640000 from the opposite party. The opposite party told the complainant that the tractor is of 2020 model. The complainant received a receipt with receipt number 123. The receipt is attached as Annexure A.

4. However, when the complainant received the registration certificate for the tractor, it showed that the model was of 2019 and not of 2020. The registration certificate is attached as Annexure B.

5. The complainant paid the amount for the 2020 model at rates prevalent in 2020. The opposite party, involved in the business of sale of tractors, had a responsibility to provide the model that was promised and represented. The opposite party has been deficient in offering this service and has employed an unfair trade practice. The complainant is entitled to get a refund of the entire amount.

6. The total consideration paid by the Complainant for the purchase is Rs. 6,40,000/- which is less than Rs. 50 lakhs. The cause of action arises in, the complainant resides in, and the opposite party carries on business 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 01.06.2020 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 refund the entire paid amount of Rs. 6,40,000/-;

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. \_\_\_\_\_\_\_\_/- for the 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, Tarsem Singh aged 57 years son of Mohinder Singh resident of VPO Kanjli, Tehsil & 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