BEFORE THE DISTRICT CONSUMER DISPUTES REDRESSAL FORUM AT PORVORIM

Consumer Complaint No.\_\_\_\_\_ of 20\_\_

BETWEEN:

Subhash Narvekar,

S/o S. Narvekar

Occupation: Software Engineer

R/o. “Ganesh”,

164-V Alto Duler, Mapusa,

Goa-403507 .....Complainant

V/s

Panasonic India Pvt. Ltd.

Through its Authorized Officer,

12th Floor, Ambience Island, NH-8,

Gurgaon-122002, Haryana .... Opposite Parties

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

1. The address of the Complainant for the purpose of service of summons, notice etc is as shown in the cause title above and that of his counsel
2. The address of the Opponents for the very purpose is the same as shown in the cause title above.
3. Herein the above-named Complainant most respectfully submits as under,
4. That the complainant purchased a Panasonic front-load washing machine model no. 106MC2WO1WM vide tax invoice dated 27.06.2019 from the authorized dealer of OP for a total paid consideration of Rs. 26,000/- (Rupees Twenty Six Thousand only) with 5 years of warranty.
5. That within 6 months of purchase, fungal growth and mould started developing on the rubber door casing and detergent dispenser tray of the said washing machine due to improper water drainage and accumulation of dirt. Despite repeated complaints, the OP failed to detect and rectify the defect.
6. That the said defects clearly indicate manufacturing/design defect on part of OP No. 1 and deficiency in after sales service on part of OP No. 2 amounting to unfair trade practice and deficiency in service as per section 2(1)(g),(o) read with sections 2(10), (11) of the Consumer Protection Act, 2019.
7. That in November 2020, Opposite Party replaced the rubber casing but the fungal growth reappeared within a month. The OP have miserably failed to provide a permanent solution causing immense mental harassment and suffering to the complainant.
8. That the OP actions amount to sale of defective goods, negligent and deficient after sales service, and unfair trade practice as defined u/s 2(1)(c),(g),(o) r/w section 2(10) of the Consumer Protection Act, 2019.
9. **Cause of Action:**
10. The Cause of action first arose when the Oppsoite Party delivered defective Panasonic front-load washing machine on 27.06.2019 and continued till November 2020 when the Opposite party replaced the rubber casing of the washing machine but the fungal growth reappeared within a month.
11. **Jurisdiction:**
12. The complainant resides within the jurisdiction of this Hon'ble Court, so also the opponent’s society is situated within the jurisdiction of this Hon'ble Court. Hence this Hon'ble Court has got jurisdiction to try and entertain this complaint. The consideration amount in this Complaint is less that Rs.50,00,000/-.
13. **Court Fees:**
14. In line with Rule 7 of Consumer Protection (Consumer Dispute Redressal Commission) Rules, 2020, no court fee has been paid as the value of the consideration amount is less than Rs 5 lakhs, and stipulated three copies of the complaint have been submitted.
15. **Prayer:**

It is therefore most humbly prayed that setting all the contentions of the Opponents if any an order may kindly be passed against the Opponents in the following terms,

1. Direct the OPs to permanently repair or replace the defective washing machine;
2. Award compensation of Rs. 5,00,000/- for harassment, agony, and consequential loss;
3. Award costs of this litigation to the complainant;
4. Pass any other order deemed fit in the interest of justice.

PORVORIM

Date:

Advocate for Complainant

**Verification**

Herein I, Subhash Narvekar, do hereby state on the solemn affirmation that the contents of the above paragraphs are read over and explained to me in my vernacular, and the same are found to be true and correct to the best of my knowledge, belief and information.

**PORVORIM**

**Date Advocate for Complainant**