BEFORE THE HON’BLE DISTRICT CONSUMER DISPUTES REDRESSAL COMMISSION AT SONEPAT

IN RE: COMPLAINT No..................of 2023

IN THE MATTER OF:

Ramesh COMPLAINANT

Vs.

Rajan Watch, Rajan Watch Service Centre and Fast Track Company OPPOSITE PARTIES

COMPLAINT UNDER SECTION 35 of CONSUMER PROTECTION ACT

RESPECTFULLY SHOWETH:

1. The complainant, Ramesh, purchased a brand new Fast Track watch worth Rs. 1,995 vide bill no. 3991 dated 22.06.2017 from Rajan Watch, the OP no. 1, who is the dealer of Fast Track watches.
2. Fast Track Company, OP no. 3, is the manufacturer of the aforementioned watch. Rajan Watch Service Centre, OP no. 2, is the authorized service centre.
3. The said Fast Track watch was defective from the very beginning with issues like the time going behind, switching off in idle condition when not on wrist.
4. On 04.09.2017 the watch suddenly stopped working. I reported the issue to Rajan Watch, OP no. 1 on 05.09.2017.
5. Rajan Watch sent the watch to Rajan Watch Service Centre, OP no. 2 for repair. However, OP no. 1 returned the watch to me along with an acknowledgement form stating that the defect was due to mishandling and not covered under warranty.
6. The watch originally had 5 years full replacement guarantee and 10 years guarantee on the battery.
7. In September 2018, I again deposited the watch with OP no. 1 for rectifying the defects. It was returned after 3 months in December 2018.
8. However, in April 2019 the watch again started malfunctioning and on 27.06.2019 it stopped working completely.
9. OP no. 1 refused to address my complaints anymore, causing immense mental agony and harassment.
10. The cancellation was in clear violation of the commitment regarding the warranty, causing breach of trust and contract. Not rectifying the defects has subjected me to harassment and agony.
11. I seek compensation of Rs. 5,000 towards harassment and humiliation along with refund of Rs. 1,995 for the watch cost.

Evidences:

1. Purchase bill no. 3991 dated 22.06.2017 for Rs. 1,995

TERRITORIAL JURISDICTION: The complainant resides within the jurisdiction of this Hon'ble Commission. Hence this Hon'ble Commission has jurisdiction to try and entertain this complaint.

PECUNIARY JURISDICTION

The total consideration amount paid in purchasing the insurance policy is less than Rs. 50 lakhs. hence this hon'ble commission has jurisdiction to entertain this complaint.

LIMITATION: That the present complaint is being filed within the period of 2 years prescribed under section 69 of the Act, 2019.

COURT FEE: Requisite Court fee as contemplated is paid on this Complaint.

PRAYER:

I humbly request this Hon'ble Commission:

a) To direct Rajan Watch, Rajan Watch Service Centre and Fast Track Company to jointly and severally refund Rs. 1,995 along with compensation of Rs. 5,000.

PLACE:

DATED:

VERIFICATION

I (name of complainant), resident of (residential address) hereby declare that I have not misrepresented any facts nor have tried to hide any information in my above complaint. All the facts mentioned herein are true to the best of my knowledge.

Name & signature of the complainant