**BEFORE THE DISTRICT CONSUMER DISPUTES REDRESSAL COMMISSION**

**AT MAHABUBNAGAR**

**CONSUMER COMPLAINT NO. \_\_\_\_\_\_of 2023**

**IN THE MATTER OF:**

Mr. Gouni Sai Charan Reddy

S/o Mr. Gouni Harshavardhan Reddy

Aged about 20 years

Occ: Student

R/o H.No.16-61, Sai Ram Veterinary Medical Stores

Opposite Bus Stand In-gate, Srinivasa Colony

Atmakur Mandal, Wanaparthy District

...Complainant

Versus

1. The Authorized Signatory Eureka Forbes Ltd. Corporate Office: B1/B2, 701, 7th Floor, Marathon Innova Marathon NextGen, Off Ganpatrao Kadam Marg Lower Parel, Mumbai – 400 013
2. The Authorized Signatory Amazon India Brigade Gateway, 8th Floor, 26/1 Dr. Rajkumar Road, Malleshwaram (W) Bengaluru – 560 055, Karnataka

... Opposite Parties

MOST RESPECTFULLY SHOWETH:

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. It is submitted that the complainant purchased one Aquasure Delight RO+UV+MTDS water purifier on 06.08.2020 for Rs. 8,990/- from the Opposite Party No. 1 through the website www.amazon.in operated by Opposite Party No. 2.
5. It is submitted that the installation of the said water purifier was done after 20 days on 25.08.2020, due to Covid-19. From day one itself, the product had defects resulting in leakage.
6. It is submitted that the complainant raised a complaint with the opposite party, but there was no response from the company even after 10 days continuous attempt.
7. It is submitted that the purifier worked well for a month and again the same problem persisted and it was taking more time to purify water and wasted more water than usual.
8. It is submitted that the complainant frequently called the customer care, they replied that they would send a technician in 24 hours, but the technician came after a month and stated that an extra filter is needed to be installed for the water purifier and paid cost of Rs.380/-, for the installed extra filter.
9. It is submitted that the complainant again got a problem and raised a complaint, after a month a technician came and said the RO membrane was not working and needed to be replaced. The technician came with a new RO membrane, fixed it, the water purifier worked well only for a week and again stopped working.
10. It is submitted that the complainant again raised a complaint, the technician came and said that the machine is not OK, if repaired it may again run into issues. The complainant raised a complaint again for replacement or refund. But the company said that the water purifier can be replaced or returned only within 30 days of purchase as per the company’s terms and conditions.
11. It is submitted that complainant registered a grievance on consumer helpline website on 15-04-2021, vide No.2679203, after 3 months, I got a mail saying that my grievance was updated, found the company closed the complaint from their end stating “intimated customer as per policy can not refund or replace the unit after purchase of 10 months”.
12. It is submitted that despite repeated complaints, the issue could not be permanently rectified by the Opposite Party No. 1.
13. It is submitted that the Complainant made numerous calls to the customer care of the Opposite Party No. 1 requesting replacement/refund but the Opposite Party No. 1 failed to provide any resolution.
14. That owing to the manufacturing defect, the water purifier never functioned properly right from the beginning in spite of repeated repairs. This amounts to gross deficiency in service on part of Opposite Party No. 1.
15. It is submitted that due to the negligent and careless acts of the Opposite Party No. 1, the Complainant has suffered immense harassment, mental agony and trauma. Hence, the complainant has approached the hon’ble commission.
16. It is submitted that the complainant has incurred expenses of Rs. 10000 so far in pursuing this consumer complaint.

**CAUSE OF ACTION**

Cause of action arose on 15.04.2021 when the consumer helpline grievance filed by Complainant was disposed of by Opposite Party No. 1 without satisfactory resolution.

**EVIDENCE**:

1. Invoice dated 06.08.2020 for purchase of water purifier - Ex. A-1
2. Call log showing complaints made - Ex. A-2
3. Grievance filed with consumer helpline on 15.04.2021 - Ex. A-3

**JURISDICTION**: The consideration amount is less than 50 Lakhs and the complainant resides within the territorial limits of this Hon’ble Commission. Hence this Hon’ble Commission has jurisdiction to try and entertain this complaint.

**COURT FEE**: That the Complainant is complying with the Court Fees Mandated under Rule 7 of the Consumer Protection (Consumer Dispute Redressal Commission) Rules, 2020.

**PRAYER**

It is, therefore, most respectfully prayed that this Hon'ble Commission may kindly be pleased to:

a) Direct the Opposite Party No. 1 to refund the amount of Rs. 8,990/- paid by the Complainant towards the defective water purifier or replace it with a new properly functioning unit of the same model.

b) Direct the Opposite Party No. 1 to pay Rs. 20,000/- as compensation for mental harassment and agony suffered by the Complainant.

c) Direct the Opposite Parties to pay Rs. 10,000/- towards costs of the Complaint.

d) Pass any other order/s as deemed fit and proper in the facts and circumstances of the case in the interest of justice.

VERIFICATION BY COMPLAINANT:

Verified at Mahabubnagar on this \_\_\_ day of February 2023 that the contents of paras 1 to 14 of the consumer complaint are true and correct. No material facts have been concealed.

Mr. Gouni Sai Charan Reddy

Complainant