**BEFORE THE HON'BLE DISTRICT CONSUMER DISPUTES REDRESSAL COMMISSION**

**AT ERNAKULAM**

COMPLAINT NO. .......... OF 20..

IN THE MATTER OF:

Sunil Chammany

S/o. C.X. Thomas

Chammany House, Near Pancharatna Apartments

Ponoth Road, Eranakulam

Kochi -17

Email: .....................

Mobile: .......................

......COMPLAINANT

VERSUS

Asianet Satellite Communications Ltd.

Door No. 48/348, Atagore Lane

Backside of Federal B

Ernakulam North (GA06)

Kochi - 18

......OPPOSITE PARTY

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

RESPECTFULLY SHOWETH:

INTRODUCTION:

1. The Complainant is a resident of Ernakulam district and is employed as \_\_\_\_\_\_\_\_\_\_\_\_ (mention occupation).

2. The Opposite Party is Asianet Satellite Communications Ltd., a cable TV service provider operating in Ernakulam and surrounding areas.

TRANSACTION:

3. The Complainant had availed cable TV connection services from the Opposite Party and made yearly payments of Rs. 3,540/- for the period from July 2016 to August 2017 and Rs. 3,840/- for the period from September 2017 to October 2018, paid in cash, as evidenced by the receipts issued by the Opposite Party (copies annexed as Annexure A).

NATURE OF COMPLAINT:

4. From 16/06/2018 onwards, the Complainant was not receiving the cable TV connection services from the Opposite Party, and despite contacting the Opposite Party nearly 14 times on the same day, the only response received was "you are on queue."

5. The Complainant had contacted the Opposite Party as he was unable to watch the FIFA World Cup matches due to the defective cable TV services, but the Opposite Party failed to rectify the issue promptly.

6. On 21/06/2018, the Complainant received a message from the Opposite Party that complaint No. GA06181779 had been registered, but there was no further response or action taken to resolve the issue.

7. On 30/06/2018, the Complainant received another message from the Opposite Party stating that his complaint had been registered, despite the fact that it had been over 10 days since his initial complaint about the defective cable TV services.

8. Due to the Opposite Party's dereliction of duty and failure to rectify the issue, the Complainant had to avail cable TV services from another provider, City Cable Connection through their franchisee Four Star Vision, Kaloor, by remitting an amount of Rs. 4,000/- on 29/06/2018.

9. The Opposite Party's failure to provide cable TV services and rectify the issue caused the Complainant and his family mental agony, pain, and other hardships as they were eagerly waiting to watch the FIFA World Cup matches.

RECTIFICATION:

10. The Complainant made numerous attempts to contact the Opposite Party and resolve the issue, but the Opposite Party failed to take appropriate action to rectify the defective cable TV services.

CAUSE OF ACTION:

11. The cause of action for the present complaint arose on 16/06/2018 when the Complainant first experienced the defective cable TV services and the Opposite Party failed to rectify the issue despite multiple complaints, leading to mental agony and financial loss to the Complainant.

OTHER PROVISIONS:

12. The Opposite Party has violated the provisions of the Consumer Protection Act, 2019, by engaging in unfair trade practices and deficiency in service, thereby causing loss and harassment to the Complainant.

EVIDENCES:

13. The Complainant relies on the following documents in support of his case:

a) Copies of receipts for the yearly payments made to the Opposite Party (Annexure A).

b) Copies of messages received from the Opposite Party regarding the registration of complaints (Annexure B).

c) Copy of the receipt for the payment made to the new cable TV provider (Annexure C).

TERRITORIAL JURISDICTION:

14. The cause of action has arisen within the territorial jurisdiction of this Hon'ble District Consumer Disputes Redressal Commission, and therefore, this Commission has the appropriate territorial jurisdiction to adjudicate the present complaint.

PECUNIARY JURISDICTION:

15. As the total amount involved is less than Rs. 50 lakhs, the present complaint is being filed with this Hon'ble District Consumer Disputes Redressal Commission.

LIMITATION:

16. The present complaint is being filed within the period prescribed under Section 69 of the Consumer Protection Act, 2019.

COURT FEE:

17. As per Rule 7 of the Consumer Protection (Consumer Dispute Redressal Commission) Rules 2020, no court fee is applicable.

PRAYER:

In view of the aforementioned facts and circumstances, the Complainant most respectfully prays that this Hon'ble Commission may be pleased to:

a) Direct the Opposite Party to refund the amount of Rs. 7,840/- (Rs. 3,840/- for the yearly payment made to the Opposite Party and Rs. 4,000/- paid to the new cable TV provider);

b) Direct the Opposite Party to pay compensation of Rs. 10,000/- to the Complainant for the mental agony and hardships suffered due to the Opposite Party's negligence;

c) Direct the Opposite Party to pay a sum of Rs. 10,000/- towards the cost of these proceedings;

d) Pass such other and further orders as this Hon'ble Commission may deem fit and proper in the circumstances of the case.

PLACE: Ernakulam

DATE:

Sunil Chammany

**VERIFICATION**

I, Sunil Chammany, S/o. C.X. Thomas, resident of Chammany House, Near Pancharatna Apartments, Ponoth Road, Eranakulam, Kochi -17, do hereby verify that the contents of the above complaint are true and correct to the best of my knowledge and belief, and nothing material has been concealed therefrom.

Verified at Ernakulam on this \_\_\_\_\_ day of \_\_\_\_\_\_\_\_, 20...

Sunil Chammany