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

IN RE: COMPLAINT NO............OF 20\_\_

IN THE MATTER OF:

Thomas George

S/o M.M. George

1C, Concert 'O' Castle

Main Avenue, Panampilly Nagar

Kochi - 682036

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

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

...COMPLAINANT

VERSUS

Theressa Offset Printers & New India Press

(Prop. Mr. Peter Job)

Kidangoor P.O., Angamaly - 683572

Email: newindiapress@gmail.com

...OPPOSITE PARTY

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

RESPECTFULLY SHOWETH:

INTRODUCTION:

1. The Complainant is an author residing in Kochi.

2. The Opposite Party is a printing press owned and operated by Mr. Peter Job.

TRANSACTION:

3. On 16.07.2016, the Opposite Party sent a quotation of Rs.31,690/- to the Complainant for printing 500 copies of his book titled "History & Science of Numbers".

4. The Complainant accepted the quotation and placed the order vide email dated 16.07.2016 itself, stating that the book would be provided in word format and the printed copies were required by end of July 2016 for a presentation.

5. On 17.07.2016, the Complainant provided the book in word format. However, the Opposite Party demanded an additional Rs.5000/- for conversion to pagemaker format.

6. To avoid delays, the Complainant got the conversion done himself by spending Rs.4000/- and provided the pagemaker file on 26.07.2016.

NATURE OF COMPLAINT:

7. Despite assurances of delivery by 02.08.2016, the Opposite Party failed to supply the printed books on time.

8. The Complainant was therefore forced to pay a hiked amount of Rs.34,150/- (Rs.2460/- higher than quoted) on 11.08.2016 to get the books urgently as they were required for a presentation before the Hon'ble Governor of Goa.

9. This resulted in a total additional expenditure of Rs.6460/- (Rs.2460/- excess printing charges + Rs.4000/- conversion charges) for the Complainant, apart from mental harassment.

10. The above acts of the Opposite Party amount to deficiency in service, unfair trade practice and levying excessive charges under the Consumer Protection Act.

RECTIFICATION:

11. The Complainant sent a legal notice dated .......to the Opposite Party calling upon them to refund the additional amount of Rs.6460/- along with compensation of Rs.25,000/- within 15 days, but no response has been received so far.

CAUSE OF ACTION:

12. The failure to supply the books on the committed date despite timely order, charging excessive amounts and the subsequent harassment caused to the Complainant give rise to a cause of action within the meaning of the Consumer Protection Act, 2019.

EVIDENCE:

The Complainant shall rely upon the following evidence:

1) Quotation and order emails - Annexures A & B

2) Details of payments made - Annexures C & D

3) Legal Notice - Annexure E

PECUNIARY JURISDICTION:

As the value of the claim is less than Rs.50 lakhs, this Hon'ble District Commission has pecuniary jurisdiction.

LIMITATION:

The present complaint is being filed within the prescribed 2 year period as per Section 69.

COURT FEE:

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

PRAYER:

In light of the above facts and circumstances, it is most respectfully prayed that this Hon'ble Commission may be pleased to:

a) Direct the Opposite Party to refund the additional printing and conversion charges of Rs.6,460/- to the Complainant;

b) Award compensation of Rs.25,000/- for mental agony, costs & unfair trade practice;

c) Award costs of proceedings to the Complainant;

d) Grant any other relief deemed fit and proper in the interest of justice.

PLACE: KOCHI

DATE:

(Thomas George)

VERIFICATION

Verified at Kochi on this \_\_\_ day of \_\_\_\_ 20\_\_ that the contents of the above complaint are true and correct to the best of my knowledge, information and belief. No part of it is false and nothing material has been concealed therefrom.

(Thomas George)