**BEFORE THE HON’BLE NATIONAL/ STATE/ DISTRICT CONSUMER**

**DISPUTES REDRESSAL COMMISSION AT KOTTAYAM**

**IN RE: COMPLAINT No..................of 20.....**

**IN THE MATTER OF:**

Anna John, aged \_\_ years

Kadavil House

St.James Street, Changanassery

Kottayam, India -686 101.

Mob-9447445579 ………. Complainant

Vs

Customer Relations Manager

Flipkart Internet Pvt Ltd

Buildings Alyssa, Begonia & Clove

Embassy Tech Village

Outer Ring Road, Deverabeesanahalli

Karnataka, India. ……….Opposite Party

**COMPLAINT UNDER SECTION 35 of CONSUMER PROTECTION ACT**

**RESPECTFULLY SHOWETH:**

1. The complainant is Ms. Anna John, aged \_\_ years and residing at Kadavil House St.James Street, Changanassery Kottayam, India -686 101.
2. The opposite party is Customer Relations Manager of the Flipkart Internet Pvt Ltd. Its office is located at Buildings Alyssa, Begonia & Clove Embassy Tech Village Outer Ring Road, Deverabeesanahalli Karnataka, India.
3. The complainant placed an order for a product on the Flipkart website on 28-03-2022, vide Order ID No. OD22453020789313800, and paid an amount of Rs. 834 through an online payment mode. A copy of the order confirmation and payment receipt is attached as Annexure 1.
4. As per the order details, the product was scheduled to be delivered on 05-04-2022.
5. Despite the scheduled delivery date of 05-04-2022, the complainant did not receive the ordered product.
6. The status on the complainant's Flipkart account showed that the product had been delivered, which was incorrect.
7. On 07-04-2022, the complainant lodged a complaint with the opposite party regarding the non-delivery of the product, but no response was provided.

**RECTIFICATION:**

1. Despite the complainant's complaint, the opposite party failed to take any action or provide a satisfactory resolution regarding the non-delivery of the ordered product.

**CAUSE OF ACTION:** The cause of action arose on 5 April 2022 when the product was scheduled to be delivered but wasn’t.

**TERRITORIAL JURISDICTION:**  The complainant and the opposite party both reside 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 hotel booking 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 prescribed under section 69 of the Act, 2019.

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

**EVIDENCE:**

1. Copy of the order confirmation and payment receipt. (Ex.A.1)
2. Copies of complaints registered regarding non-delivery. (Ex. A.2)

**PRAYER:**

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

a) Direct the opposite party to deliver the ordered product to the complainant, or alternatively, pay Rs. 8,000.

b) Pass any other order(s) as this Hon'ble Commission may deem fit and proper in the circumstances of the case.

**VERIFICATION:**

I, Ms.Anna John, resident of Kadavil House St.James Street, Changanassery Kottayam, India -686 101, hereby declare that I havenot 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**