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

**DISPUTES REDRESSAL COMMISSION AT KOTTAYAM**

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

**IN THE MATTER OF:**

Rema Sreekumar

Sree Sailam

Kalathoor P.O.

Kottayam – 686633 ………. Complainant

Vs

Realme

3rd Floor, Tower B,

Building No.8

DLF Cyber City, Gurugram,

Haryana – 122002 ……….Opposite Party

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

**RESPECTFULLY SHOWETH:**

1. The complainant is Ms. Rema Sreekumar, residing at Sree Sailam, Kalathoor P.O. Kottayam – 686633.
2. The opposite party is Realme .Its office is located on 3rd Floor, Tower B, Building No.8 DLF Cyber City, Gurugram, Haryana – 122002.
3. The complainant purchased a Realme TV on 20-09-2020 for an amount of Rs. 22,999, which was manufactured by the opposite party. A copy of the purchase invoice is attached as Annexure 1.
4. On 19-06-2021, the display of the said TV was damaged.
5. The complainant registered a complaint with the opposite party on 20-06-2021, and their customer care informed the complainant that the complaint had been registered.
6. On 26-03-2021, a technician from the opposite party called the complainant, inquired about the complaint, and directed the complainant to send a video of the TV via WhatsApp.
7. When the complainant contacted the customer care after a week, they informed the complainant that the TV would be replaced.
8. However, upon subsequent follow-ups, the complainant was informed that the replacement had not been approved and that there would be a further delay of two weeks.
9. On 06-09-2021, the technician informed the complainant that he had disassociated from the opposite party and directed the complainant to register another complaint with them.
10. The customer care of the opposite party then informed the complainant that due to the delay, her case had been referred to a higher authority, and another technician would call her within 48 hours. However, this did not happen.
11. On 02-10-2021, the complainant was informed that the TV could not be repaired and that the amount would be refunded. The complainant was told that a higher authority would call her within 48 hours, but this did not happen.
12. Subsequently, when the complainant contacted the customer care, she was informed that there would not be any refund, but a technician would call and rectify the defect. However, the defect has not been rectified to date.

**RECTIFICATION:**

1. Despite numerous communications and assurances from the opposite party, the issue with the TV's display has not been resolved, nor has a replacement or refund been provided.

**CAUSE OF ACTION:** The cause of action arose on 19 June 2021 when the complainant found that the display of the TV was damaged. The issue was not solved by the opposite party even after multiple attempts by the complainant. This amounts to deficiency of service which has caused much hardship to the complainant.

**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 purchase invoice of TV. (Ex.A.1)
2. Copies of correspondence and communication records with the opposite parties. (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 parties to either repair the defective TV or refund the purchase price of Rs. 22,999 to the complainant.

b) Direct the opposite parties to pay a compensation of Rs. 5,644 to the complainant for deficiency in service and mental agony suffered.

c) Direct the opposite parties to pay a cost of Rs. 600 towards litigation expenses.

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

**VERIFICATION:**

I, Ms. Rema Sreekumar, resident of Sree Sailam, Kalathoor P.O. Kottayam – 686633, 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**