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

**DISPUTES REDRESSAL COMMISSION AT KOTTAYAM**

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

**IN THE MATTER OF:**

K.K. George, S/o Kuriakose

Kaithavayalil House

Kappadu P.O, Kanjirappally

Kottayam District-686508,

represented by his agent Samsan George,

Kaithavayalil House

Kottayam District -686508 ………. Complainant

Vs

Bharat Sanchar Nigam Limited

Kottayam District, Kerala-686001 ……….Opposite Party

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

**RESPECTFULLY SHOWETH:**

1. The complainant is K.K. George, residing in Kaithavayalil House Kappadu P.O, Kanjirappally Kottayam District-686508. He is represented by his agent, Samsan George. His address is Kaithavayalil House Kottayam District -686508.
2. The opposite party is Bharat Sanchar Nigam Limited. It is located in Kottayam District, Kerala-686001.
3. The complainant has been availing landline services from the opposite party with the number 04828-236465 for more than 30 years.
4. For the last 10 years, the landline service offered by the opposite party has been irregular, and the landline has remained non-functional since 2015.
5. Despite non-functionality, the opposite party has been regular in issuing bills to the complainant.
6. Since 2015, the complainant has made more than 50 complaints whenever the landline became non-functional. Each time, the technical staff would resolve the issue temporarily, only for the problem to recur.
7. On 24.04.2020, a large tree fell on the Kalaketty – Kappadu main road, damaging BSNL landline cables.
8. The complainant has reliable information that the opposite party removed the landline cables permanently without replacement, an arbitrary action taken without any notice to the complainant.
9. The landline has remained non-functional since 24.04.2020, yet the opposite party continues to send bills regularly.
10. Being a senior citizen who depends on landline communication to stay connected with children, grandchildren, and other relatives, the complainant has been put to irreparable hardship due to the opposite party's actions.

**CAUSE OF ACTION:** The cause of action arose on 24.04.2020 when the opposite party removed landline cables permanently without replacement or notice, and has continued by issuing bills for non-functional services.

**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 latest BSNL bill showing landline number 04828-236465 (Ex. A1)
2. Copies of complaints made to BSNL regarding non-functional landline ( Ex. A2)
3. Photographs/Evidence of fallen tree and damaged cables (Ex. A.3)
4. Copies of bills received post 24.04.2020 despite non-functional service (Ex. A.4)

**PRAYER:**

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

i) Direct the opposite party to refund all bills paid from July 2019 onwards, during which period the service has been largely non-functional.

ii) Direct the opposite party to pay compensation of Rs. 50,000.

iii) Pass such other orders as deemed fit in the interests of justice.

**VERIFICATION:**

I, K.K. George, resident ofKaithavayalil House Kappadu P.O, Kanjirappally Kottayam District-686508, 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**