BEFORE THE DISTRICT CONSUMER DISPUTES REDRESSAL COMMISSION, KARNATAKA, AT HASSAN

Consumer Complaint No. \_\_\_\_\_\_of 20

Mr. Rakshith S.B

S/o Bhagesh S.G, Age\_\_\_\_years

Residing at #67, Shankaranahalli,

Hassan City, Hassan District. ....COMPLAINANT

V/s

Samsung Service Centre

3S Touch Service Solution Pvt Ltd

Janani Building, Ward no.7,

Opposite 11th Cross, K.R Puram,

Hassan .... OPPOSITE PARTY

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

1. The address of the Complainant for the purpose of service of summons, notice etc is as shown in the cause title above and that of his counsel
2. The address of the Opponents for the very purpose is the same as shown in the cause title above.
3. Herein the above-named Complainant most respectfully submits as under,
4. The Complainant respectfully submits that he purchased a Samsung mobile phone A217 A215 6+64 from RTS cell zone, NR Circle Hassan on 14/10/2020.
5. The Complainant submits that the display stopped working after 1 year so he paid Rs 4,000 to an authorised Samsung Service Centre (3S Touch Service Solution Pvt Ltd) to repair the phone. The Service Centre inspected the mobile phone and agreed to repair the phone. An acknowledgement of the service request was provided to the Complainant.
6. The Complainant submits that at a later date, however, the service centre returned the phone without making any repairs. The Complainant subsequently tried to reach out to the service centre but received no response.
7. The Complainant issued a legal notice dated 07/06/2022 to the Opposite Party, which was delivered on 11/06/2022, but received no response.
8. That Complainant has suffered immense harassment, mental agony and pecuniary loss due to the failure of the Opposite Party to repair the phone after receiving payment from the Complainant for the same. His repeated requests and legal notice have been ignored, forcing him to approach this Commission.
9. That the Opposite Party is liable for the deficiency in service which has resulted in financial loss, harassment and mental agony.

IV. **Cause of Action**;

1. The Cause of action arose on 21/03/2022 when the Complainant visited the Samsung Service Centre and paid Rs 4,000 towards repair charges.

V. **Limitation Period**

1. That the present complaint is being filed within a period of two years from the date of cause of action, as prescribed under Section 69 of the Consumer Protection Act, 2019.

VI. **Jurisdiction:**

1. On territorial jurisdiction, it is submitted that the complainant resides within the jurisdiction of this Hon'ble Court, so also the opponent’s service centre is situated within the jurisdiction of this Hon'ble Court.
2. On pecuniary jurisdiction, it is submitted that the consideration amount is less than Rs. 50,00,000/-
3. Hence this Hon'ble Court possesses jurisdiction to try and entertain this complaint

VII. **Court Fees:**

1. In line with Rule 7 of Consumer Protection (Consumer Dispute Redressal Commission) Rules, 2020, no court fee has been paid as the value of the impugned service is less than Rs 5 lakhs and the stipulated three copies of the complaint have been submitted.

VIII. **Prayer**

It is therefore most humbly prayed that setting all the contentions of the Opponents if any an order may kindly be passed against the Opponents in the following terms,

* 1. Direct the Opposite Party to refund the amount of Rs. 16,000/- for the cost of the mobile phone.
  2. Direct the Opposite Party to pay Rs. 50,000/- as compensation for financial loss, harassment, mental agony, expenses and deficiency in service.
  3. Direct the Opposite Party to refund the amount of Rs. 4,000/- paid by the Complainant as repair charges.
  4. Pass any other order as deemed fit in the interest of justice, equity, and good conscience.

HASSAN

Date Advocate for Complainant

**Verification**

Herein I, Mr. Rakshit S.B, do hereby state on the solemn affirmation that the contents of the above paragraphs are read over and explained to me in my vernacular, and the same is found to be true and correct to the best of my knowledge, belief, and information.

**HASSAN**

**Date Complainant**