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

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

Mr. Shakeel Pasha

S/o H.A Mohammed Kalandar, Age\_\_\_\_ years

Residing at Shaffi Mazid Road,

Kottanan Giri, Hassan ....COMPLAINANT

V/s

1. The Director

Shah Automotive Mysore,

Authorised Dealers: Honda Cars India Ltd

No. 101(P), Hootagalli, Industrial Area,

Opposite Automotive Axles,

Off Hunsur Road, Mysore - 570018

1. Managing Director,

Magma Fin Corp Ltd

Magma House, 7th Floor

No. 24, Park Road

Kolkata - 700016 .... OPPOSITE PARTIES

**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 car from a public auction conducted by the Opposite Parties on 28/02/2019 for a total price of Rs 2,00,000.
5. The Complainant submits that prior to the auction, the same car had been purchased by an individual named Raghupathi from the Opposite Party No. 1 with financial assistance from Opposite Party No. 2. Since Ragupathi defaulted on his payments, the said car had been seized by Opposite Party No.2.
6. That the Complainant had sent an NOC to RTO on 08/04/2019 and tried to get a temporary registration for the car from the establishment but did not succeed.
7. That the Opposite Parties have clearly not transferred the registration of the car to their name (from Raghupathi) and hence are not able to provide the Complainant with the registration.
8. That the Complainant has faced a lot of hardship as he has not been able to use the car on the road and has had to keep it in the RED-FORT yard and pay Rs 75 per day for the same.
9. That the Complainant had also purchased the car for domestic as well as business purposes. Due to the lack of registration, the Complainant has been forced to rent a vehicle to travel from one place to another and incurred a cost of Rs 25,000 per month.
10. That the Complainant then issued a letter to the Opposite Parties on 16/04/2019 requesting them to provide registration. However, the Opposite Parties have not replied to the same. His attempts to contact the Opposite Parties and his letter have been ignored and thus, he has been forced to approach this Commissionp
11. That the Opposite Parties are 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 of this arose on 16-04-2019 when the Complainant sent a letter to the Opposite Parties requesting them to provide registration for his car.

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 while the complainant resides within the jurisdiction of this Hon'ble Court, the Opposite Party No.1 resides in Mysore and Opposite Party No.2 resides in Kolkata. The Complainant has therefore chosen to seek relief before this Honourable Court in Hassan and hence this Honourable Court possesses jurisdiction.
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 Parties to provide relevant RTO Registration documents including No 19, 21, 22.
2. Direct the Opposite Parties to pay Rs. 15,00,000/- as compensation for financial loss, harassment, mental agony, expenses and deficiency in service.
   1. 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. Vishwanath H.P, 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**