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

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

Mr. Mr. Umesha S.N,

S/o Nanjegowda, Aged 43 years,

Residing at Sanenahalli Post, Aarehalli Hobli,

Belur Taluk, Hassan District - 573 115. ....COMPLAINANT

V/s

The Managing Director

Reliance Communication Infrastructure Ltd,

AACCR7832C, ST001, “H” Block,

DAKC, Thane-Belapur Road,

Navi Mumbai - 400 710. .... 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 mobile phone, SIM cards, and accessories for the internet from Reliance Communication Infrastructure for his business (Umesh Enterprises).
5. That the Complainant has paid a deposit of Rs 25,000 via DD no. 220264 for the same and he states that he regularly bought the same items by paying the requisite cost.
6. That after 3 years of this arrangement wherein the Complainant has bought these items, the Opposite Party suffered losses and has not refunded the Complainant’s deposit amount nor has the Opposite Party paid the Complainant’s commission of Rs 40,000.
7. That the Complainant has contacted the Opposite Party and requested them to refund his deposit and pay his commission but the Opposite Party has refused.
8. That the Complainant issued a legal notice dated 31/03/2022 to the Opposite Party’s office in Bangalore, but it was returned with the endorsement that the addressee had left.
9. That the notice was then delivered to the Opposite Party’s Mumbai office but the Complainant did not receive any reply.
10. That Complainant has suffered immense harassment, mental agony and pecuniary loss due to the failure of the Opposite Party to refund his deposit or pay his commission amount. His repeated requests and legal notice have been ignored, forcing him to approach this Commission.
11. That the Opposite Party is liable for deficiency in service which has resulted in financial loss, harassment and mental agony.

IV. **Cause of Action**;

1. The Cause of action arose on 31/03/2022 when the Complainant issued a legal notice to the Opposite party for refund of the deposit amount and payment of his commission.

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 is located in Mumbai. The Complainant has chosen to seek relief before this Honourable Court and therefore 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 Party to refund the Complainant’s deposit amounting to Rs 25,000.
  2. Direct the Opposite Party to pay the Complainant’s commission amounting to Rs 40,000.
  3. Direct the Opposite Parties to pay Rs. 50,000/- as compensation for financial loss, harassment, mental agony, expenses and deficiency in service.
  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, Umesha S.N, 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**