**BEFORE THE CONSUMER DISPUTES REDRESSAL DISTRICT FORUM AT SARGUJA**

ORIGINAL COMPLAINT NO. \_\_\_\_\_\_/2023

(Filing Date: \_\_.\_\_.2023)

Mr. Vikas Tiwari,

son of Raviprakash Tiwari, aged about 30 years

Near Tiwari Building, Ambikapur,

Sarguja, Chhattisgarh…………………………………………………………………….. Complainant

Versus

Proprietor,

Om Hardwares, Ambikapur,

Sarguja, Chhattisgarh……...…………………………………………………………….Opposite Party

**COMPLAINT UNDER S. 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:

1. The Complainant respectfully submits that he purchased a Sintex tank from the Opposing Party (OP) on 13/04/2021, and was promised that the product would be of good quality, and installed in a safe and reliable manner.

2. However, the Complainant encountered several issues as a result of OP’s faulty installation processes, amounting to a deficiency in service. The tank itself was broken, and was not properly installed, rendering it unusable.

3. Apart from the hardship as a result of the broken product itself, the Complainant has faced additional inconvenience and mental agony as a result of OP’s unwillingness to respond to the complaint.

**Cause of Action**

The cause of action arose out of OP’s provision of damaged goods and improper installation, as well as subsequent deficiency of service in addressing the problems with the tank. The cause of action is still continuing due to willful negligence and failure to resolve the Complainant's grievances by the OP till date. Hence the present complaint.

**Limitation Period and Court Fees**

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 Act, 2019. The Complainant declares that requisite court fees as per statutory rules is being paid on the present complaint.

**Territorial Jurisdiction**

This Hon'ble Commission has territorial jurisdiction to entertain and adjudicate upon the present complaint as the cause of action has arisen within its jurisdictional limits where the Complainant is a permanent resident.

**Pecuniary Jurisdiction**

The value of the present complaint is less than Rs. 50 lakhs, as the amount of compensation of Rs. 30,500.53, including Rs. 10,500.53 for expenditures towards the tank, and Rs. 20,000 as damages, is well within the pecuniary jurisdiction limits prescribed for this Hon'ble Commission.

**Evidence Relied Upon**

1. Original tax invoice from Om Hardwares, dated 13/04/2021.
2. Picture of the broken tank after installation.

**Prayer**

In view of the above stated facts and circumstances, and in the interest of justice, it is most respectfully prayed that this Hon'ble Commission may be pleased to:

* Order OP to change the tank and provide the complainant with a new one.
* Grant a sum of Rs.20,000/- as compensation from OP for causing malicious mental injuries as detailed above, at 12% p.a. interest.
* Grant any other reliefs which this court deems necessary to secure the ends of justice.

**VERIFICATION**

I, Vikas Tiwari, resident of Tiwari Building, Ambikapur, Sarguja, Chhattisgarh, 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