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

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

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

Shyamji Prasad Gupta,

70 years old,

Resident of Mahamaya Road,

Ambikapur, Sarguja,

Chhattisgarh…………………………………………………………………….Complainant

Kunjbihari Dawa Dukaan,

opposite the District Hospital,

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:

He has purchased a hearing aid from the shop owned by Opposite Party (OP), and paid consideration of Rs. 4,990 for it on the assumption that the product would be functional and serve his needs. However, within a couple of days of its purchase, it stopped working. OP has refused to refund or replace the product, leaving the Complainant in a quandary without a product that is essential for his daily life and well-being. Hence this complaint.

**Cause of Action**

The cause of action arose as the OP provided a faulty hearing aid to the Complainant, which broke down within few days of use. The cause of action is still continuing due to 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 is well within the pecuniary jurisdiction limits prescribed for this Hon'ble Commission.

**Evidence Relied Upon**

1. Invoice for hearing aid
2. Legal Notice sent to OP.

**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 refund to the Complainant a sum of Rs. 4,990 towards the faulty hearing aid.
* Grant damages of Rs. 10,000.
* Grant costs of legal counsel, amounting to Rs. 3,000.
* Grant any other reliefs which this court deems necessary to secure the ends of justice.

**VERIFICATION**

I, Shyamji Prasad Gupta, resident of Mahamaya Road, Ambikapur, Sarguja, 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