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

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

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

Neeraj Varma,

son of RR Varma,

resident of Mayer Colony,

Ambikapur, Sarguja,

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

Ravindra Soni, proprietor,

Shriram Jewellers, Sadar Road,

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 purchased a pair of earrings for his wife that was custom-made by the Opposite Party (OP), but soon found that the quality was substandard and that there were making defects. His attempts to solve the problem led to no avail, as OP did not respond to him at all. He has been compelled to take legal action against OP as a result of their faulty product and deficiency of service, as well as his own 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 faulty goods, as well as subsequent deficiency of service in addressing the problems with the earrings. 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. 1,40,000 is well within the pecuniary jurisdiction limits prescribed for this Hon'ble Commission.

**Evidence Relied Upon**

1. Invoice for the jewelry.
2. Certificate of quality.
3. Legal notice.

**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 the money paid for the earrings, a total of Rs. 25000.
* Grant a sum of Rs.100000 as compensation from OP for causing malicious mental injuries as detailed above, at 12% p.a. Interest.
* Grant Rs. 5,000 for litigation expenses and Rs. 1,000 for the cost of engaging legal counsel.
* Grant any other reliefs which this court deems necessary to secure the ends of justice.

**VERIFICATION**

I, Neeraj Varma, resident of Mayer Colony, 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