**BEFORE THE CONSUMER DISPUTES REDRESSAL DISTRICT FORUM AT SOUTH GOA**

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

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

Ritik Gupta,

son of Naresh Gupta,

residing at Sadar Road,

Ambikapur, Sarguja

Chhattisgarh………………………………………………………………complainant

Amazon India Limited,

Dr. Rajkumar Road,

8th Floor 26/1,

Bangalore — 560055……………………………………………………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 printer from the Opposite Party (OP)’s e-commerce website during a “flash sale” during which its price was discounted to Rs. 17,299. He has paid this amount to OP.

However, when the printer was delivered to his residence, a number of parts were dislodged to the point where the product itself was unusable. On trying to take this up with OP’s customer service, he was told that they would not refund the money, as the product had been purchased on a “flash sale.”  
  
He is thus compelled to seek legal recourse to get back his hard-earned money.

**Cause of Action**

The cause of action arose as the OP delivered a broken product and refused to refund the consideration paid for it. 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. Email from OP’s customer service.
2. Original bill of purchase.

**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. 17,299 towards the damaged product.
* Grant any other reliefs which this court deems necessary to secure the ends of justice.

**VERIFICATION**

I, Ritik Gupta, resident of Sadar 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