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

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

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

Dr. Domingos Alias Dr. D. J. De Souza

C/O Luz Lab, B/H Lily Garments, New Market.

Margao Goa 403 601………………………………………………….Complainant

Manager,

Axis Bank, Margao Branch,

Opposite B.P.S Club, Pajifond,

Margao, Goa………………………………………………………………….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:

The Complainant who is a senior citizen and practicing pathologist of Margao, has had banking relations with Axis Bank, formerly known as UTI Bank between 1993-2007, for past 30 years. The Complaint is filed for freezing/blocking his account due to CIF merger and also blocking his debit card due to a hacking attempt after intimations to the Complainant.

The OP is seen freezing the Complainant’s S/B A/c 121010100086745 without the Complainant’s consent/intimation, thereby violating the trust between the Complainant and the OP, thus confirming deficiency of service. The S/B Account No. 121010100086745 was opened 30 years back and the Complainant has always kept sufficient funds, resulting in labeling the account as ‘priority one’ by the OP.

In March 2021 the said S/B A/c 121010100086745 was frozen due to the presence of a term deposit of Rs. 1,10,000/-, resulting in multiple IDs which was settled by the Complainant going to the bank of the OP. The freezing of the S/B A/c 121010100086745, was carried out without any consent/intimation to the Complainant on his e-mail or through his mobile number 9226232368, resulting in deficiency of service. This has happened number of times and very recently on 25/5/2022.

Similarly the Complainant’s debit card which was issued in January 2022 has been blocked since 04/05/2022. The Complainant visited Margao Br. of OP bank twice and has met Mr. Shatanu/Navin regarding the activation of his debit card No 4505 0301 1144 5739,but has not been resolved till 01/06/2022. The Complainant has not been able to use the card in retail stores/petrol pumps since 04/05/2022. The Complainant has not taken any loan/nor have any outstanding amount to pay the OP.

The present complaint is filed before this court for deficiency of service, Restrictive and Unfair trade practices on the part of Axis Bank.

**Cause of Action**

The cause of action arose out of OP’s freezing of the Complainant’s account and debit card. 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. 90,000 is well within the pecuniary jurisdiction limits prescribed for this Hon'ble Commission.

**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:

* Grant interim relief: Activate account and debit card immediately.
* Grant punitive damages of Rs.80,000/- for suspending S/B Account without consent /authorization and without any viable notice on E-mail/mobile number, resulting in severe mental stress and loss towards creditors.
* Grant costs of Rs.10,000/- for forcing to come to the Consumer Court for redressal of grievance.
* Grant any other relief in the interest of justice.

**VERIFICATION**

I, Dr. Domingos Alias Dr. D. J. De Souza, resident of Luz Lab, B/H Lily Garments, New Market, Margao Goa, 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