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

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

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

Priyanka Arun Mane,

Wife of Mr. Arun Mane,

Major of age, married, business,

Residing at D-106,

1st Floor, D-Block, CD Signature,

Near Bolshe Circle,

Gogol, MARGAO Goa 403 601………………………………….Complainant

Websolutions

Through its CEO and MD Mr. R. Sachin Kumar.

A-43, 3rd Floor,

Corpseed Building, 304,

Sector 63, Noida, Uttar Pradesh 201301……………………………………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 her 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 had hired the website development services of WebUltraSolution, the Opposite Party (OP), a registered web design and development company based in Noida, Uttar Pradesh. The Complainant in August 2021 entered into a Stock Subscription Agreement with the OP, represented by Mr. R. Sachin Kumar, the CEO and Managing Director. According to the agreement, the OP was responsible for developing a website for the Complainant's coaching classes based on specified requirements.

The Complainant paid a total amount of Rs. 82,000/- as per the agreement, along with an additional Rs. 7,000/- as demanded by the OP. However, the OP failed to deliver the website within the agreed 60-days period and instead caused a considerable delay of six months. During the development process, the OP disregarded the Complainant's suggestions and failed to seek approval for the initial designs.

The website, when finally delivered, exhibited numerous defects, including messy code, broken links, 404 errors, poor design, low resolution images, slow loading time, and lack of search engine optimization, among other issues. The website designed by the OP was unprofessional, embarrassing, and completely useless.

The Complainant consulted other web design experts who confirmed the substandard quality and exorbitant charges imposed by the OP, leading to the realization that the website could not be rectified due to the messy code and would require complete redevelopment. The Complainant faced embarrassment and ridicule due to the unprofessional website.

Despite issuing a legal notice and subsequent communications, the OP denied the claims and refused to refund the amounts paid. As a result, the Complainant is compelled to file this formal complaint because of the mental stress, embarrassment, and financial loss caused by the OP‟s deficient services and unfair trade practices.

**Cause of Action**

The cause of action arose as the website designed by OP is not as per the Complainant’s specifications and extremely glitchy. 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 Rs. 2,89,000, of which Rs. 89,000 is the consideration paid and Rs. 2,00,000 as compensation, and this is less than Rs. 50 lakhs and well within the pecuniary jurisdiction limits prescribed for this Hon'ble Commission.

**Evidence Relied Upon**

1. Stock subscription Agreement dated 26.08.2021
2. Printout of website alongwith 65 2 C-31/22 B Certificate
3. Legal notice dated 17.03.2022
4. Reply dated 29.03.2022
5. Emails alongwith 65B certificate, Bank statements and Invoice dated 20.02.2022
6. Bank statements.

**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 the sum of Rs. 89,000 paid as consideration for the website
* Grant additional compensation of Rs. 2,00,000 for mental stress, embarrassment, and financial loss.
* Grant any other reliefs which this court deems necessary to secure the ends of justice

**VERIFICATION**

I, Priyanka Arun Mane, resident of CD Signature, Near Bolshe Circle, Gogol, 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