BEFORE THE DISTRICT CONSUMER DISPUTES REDRESSAL COMMISSION AT SONEPAT, HARYANA

IN RE: COMPLAINT No. [Your Case Number] of 2024

IN THE MATTER OF:

Naveen Verma [insert name and age]  
H.No.207/6  
Gian Nagar, Sonepat

COMPLAINANT

Vs.

OPPOSITE PARTY [insert name and address of opposite party]

COMPLAINT UNDER SECTION 35 of CONSUMER PROTECTION ACT

RESPECTFULLY SHOWETH:

1. That the complainant is Naveen Verma. On 23.5.2019, I booked four rooms for 12 guests at Hotel Gipsy King through OYO for the period from 7.6.2019 to 9.6.2019. I made a payment of Rs. 6860 via credit card (Transaction details: Invoice ID: IXLR6041). Regrettably, the experience turned out to be a nightmarish ordeal due to a severe breach of contract by both OYO and Hotel Gipsy King.
2. The booking confirmation, which included all relevant details and assurances of accommodation, was issued promptly. The confirmation email (attached herewith) served as our guarantee for a comfortable stay at Hotel Gipsy King. However, upon reaching the hotel on 7.6.2019, we were confronted with an unexpected and unwarranted denial of check-in.
3. Despite presenting the confirmed booking details and having paid the entire amount well in advance, the hotel staff, represented by OP no.2, refused to honor our reservation. This abrupt and unjust denial caused not only severe inconvenience but also led to a cascade of challenges.
4. In an attempt to find alternative accommodation, we were forced to seek refuge at a Gurudwara. The situation was exacerbated for handicapped members of our group, who faced additional difficulties in the absence of the promised arrangements. This entire episode resulted in profound emotional and physical distress for all involved.
5. Despite our continued efforts to reach out to both OYO and Hotel Gipsy King for redress, no response or assistance was forthcoming. The lack of accountability and resolution from both parties further deepened the trauma caused by the failed check-in.
6. In light of the severe breach of contract, I am seeking a refund of the Rs. 6860 paid for the booking, along with interest and litigation expenses incurred during this distressing episode. Additionally, considering the mental stress, humiliation, and financial loss incurred during the ordeal, I request compensation in the amount of Rs. 50,000.
7. To substantiate this complaint, I have attached the booking confirmation letter, receipts for food items from the Gurudwara where we sought refuge, and proof of payment. These documents serve as irrefutable evidence of the contractual commitment, the subsequent breach, and the resultant distress.
8. I believe that a swift and just resolution to this matter is essential to restore faith in consumer rights and uphold the standards of service expected from renowned platforms like OYO and its partner hotels.

EVIDENCES

1. Booking Confirmation Email: Attached herewith is the confirmation email (dated 23.5.2019) received from OYO (Invoice ID: IXLR6041) containing details of the booking and assurances of accommodation.
2. Payment Proof: Evidence of the complete payment of Rs. 6860 made via credit card on 23.5.2019.
3. Denial of Check-In: A record of the denial of check-in by Hotel Gipsy King on 7.6.2019, leading to significant inconvenience.
4. Alternative Accommodation Receipts: Receipts from the Gurudwara where alternative accommodation had to be sought due to the denial of check-in.
5. Communication Records: Any communication attempts made with OYO and Hotel Gipsy King seeking resolution.

TERRITORIAL JURISDICTION: The complainant resides within the jurisdiction of this Hon'ble Commission. Hence this Hon'ble Commission has jurisdiction to try and entertain this complaint.

PECUNIARY JURISDICTION

The total consideration amount paid in purchasing the hotel booking is less than Rs. 50 lakhs. hence this hon'ble commissin has jurisdiction to entertain this complaint.

LIMITATION: That the present complaint is being filed within the period of 2 years prescribed under section 69 of the Act, 2019.

COURT FEE: Requisite Court fee as contemplated is paid on this Complaint.

PRAYER: The complainant prays for the following:

1. Refund of the full booking amount of Rs. 6860 along with interest.
2. Compensation amounting to Rs. 50,000 for the mental stress, humiliation, and financial losses incurred.
3. Litigation expenses and any other relief deemed fit under consumer protection laws.

PLACE: [Your Signature]

DATED: [Current Date]

VERIFICATION: I, Naveen Kumar, resident of 207/6, Gian Nagar, Haryana, declare that the facts mentioned in this complaint are true to the best of my knowledge.

NAME & SIGNATURE OF THE COMPLAINANT

PLACE OF VERIFICATION