BEFORE THE HON’BLE DISTRICT CONSUMER DISPUTES REDRESSAL COMMISSION AT SONEPAT

IN RE: COMPLAINT No..................of 20.....

IN THE MATTER OF:

Kapish Singla,

H.No.531, Sector 23,

Sonepat.

................ COMPLAINANT

Vs.

TATA Cliq's

1st Floor, Empire Plaza 2, Lal Bahadur Shastri Marg, Chandan Nagar, Vikhroli West,

Mumbai-Maharashtra-400083.

............. OPPOSITE PARTY

COMPLAINT UNDER SECTION 35 of CONSUMER PROTECTION ACT

RESPECTFULLY SHOWETH:

1. I, Kapish Singla, bring forth this complaint against TATA Unistore Limited, hereinafter referred to as the Opposite Party (OP).
2. I placed an order for two pairs of 22 kt gold earrings with TATA Unistore Limited, trading as TATA Cliq, on 11.05.2021, with order IDs 112663336 and 112663717, as evidenced by the booking confirmation emails and payment receipts attached herewith as Annexure A.
3. TATA Unistore Limited, in its confirmation, assured delivery on or before 12.06.2021, creating a valid contract between the parties.
4. Shockingly, TATA Unistore Limited unilaterally canceled the aforementioned orders on the very same day, citing reasons of "out of stock" and "price issue" without providing any justifiable explanation.
5. Despite my attempts to seek clarification through phone calls and emails, TATA Unistore Limited remained unresponsive, leaving me with no avenue for resolution or explanation.
6. The cancellation caused significant emotional distress and financial hardship, leading to additional expenses and inconvenience, particularly given that the order was intended for a special occasion.
7. The cancellation was in clear violation of the commitment made by TATA Unistore Limited regarding the delivery timeline, causing a breach of trust and contract. Not honoring the promise to deliver has subjected a great mental harassment and agony for which all the opponents are liable to compensate the complainant.
8. Despite the cancellation, I have not received any communication or response from TATA Unistore Limited, leading to further frustration and lack of clarity
9. TATA Unistore Limited's breach of contract and unjust cancellation have resulted in mental agony and harassment, justifying a compensation amount of Rs. 50,000, as outlined in Annexure B.
10. In addition to compensation for mental distress, I seek Rs. 10,000 to cover the additional expenses incurred and litigation costs.
11. I have attached the relevant documents, including the booking confirmation emails, payment receipts, and the cancellation communication from TATA Unistore Limited, for your perusal (Annexure A).

Evidences:

| Sl. No. | Document Description | Annexure |
| --- | --- | --- |
| 1. | Booking Confirmation Emails | A |
| 2. | Payment Receipts | A |
| 3. | TATA Unistore Limited's Cancellation Emails | A |
| 4. | Compensation Calculation (Annexure B) | B |

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 insurance policy 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:

Therefore, I humbly request the Honorable Forum to take cognizance of this matter and pass appropriate orders:

a. Directing TATA Unistore Limited to pay a compensation of Rs. 50,000 for mental agony and harassment.   
b. Awarding an additional amount of Rs. 10,000 for covering the incurred expenses and litigation costs.   
c. Any other relief deemed fit by this Honorable Forum.

PLACE:

DATED:

VERIFICATION

I Kapish Singla, resident of Sector 23, Sonepat 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