**BEFORE THE HON’BLE DISTRICT CONSUMER DISPUTES REDRESSAL COMMISSION AT THANE**

IN RE: COMPLAINT No........................of 2023

IN THE MATTER OF:

Mrs. Pushpa Bhalchandra Gupta and Mrs. Pragati Bhalchandra Gupta

Ganesh Darshan Nest, Behind Balaji Hospital, Mira-Bhayander Road, Mira Road (East), District Thane

COMPLAINANTS

Vs.

Wood Décor, Proprietor: Shavez Hussain

Shop nos.18, 19 & 20, Ostwald Paradise, Opp. Reliance Petrol Pump & Shivar Garden, Mira-Bhayander Road, Mira Road (East), District Thane 401 107

OPPOSITE PARTY

COMPLAINT UNDER SECTION 35 of CONSUMER PROTECTION ACT 2019

RESPECTFULLY SHOWETH:

INTRODUCTION:

1. The complainants, Mrs. Pushpa Bhalchandra Gupta and Mrs. Pragati Bhalchandra Gupta, are residents of Ganesh Darshan Nest, Mira Road (East), Thane. The opposite party, Wood Décor, is a furniture store operated by its Proprietor, Mr. Shavez Hussain, located at Ostwald Paradise, Mira Road (East), District Thane.
2. On 31st March 2019, the complainants purchased a sofa cum bed for Rs. 22,000, and subsequently, on 14th November 2019, bought a center table and a shoe rack for Rs. 8,000 from the opposite party.
3. Despite paying the full amount of Rs. 30,000 in cash, the items delivered were damaged and appeared used. Immediate requests for replacement or a refund were made but were blatantly ignored by the opposite party.

TRANSACTION:

1. Date of Purchase: 31/03/2019 (Sofa cum bed), 14/11/2019 (Center table and shoe rack). Total Amount Paid: Rs. 30,000 in cash. Items Purchased: Sofa cum bed, center table, and a shoe rack.
2. Evidence: Photocopies of the cash memo are attached herewith marked as Annexure A.

NATURE OF COMPLAINT:

1. The grievance arises from unfair trade practices and deficiency in service by the opposite party, including:

* Delivering damaged and used items despite full payment.
* Ignoring multiple requests for replacement or refund.

RECTIFICATION:

1. Attempts were made to resolve the issue by directly approaching Wood Décor for a refund or replacement immediately upon discovering the damage. Despite taking back the sofa cum bed on 15th April 2019, with promises of replacement, the opposite party failed to fulfill their promises and ceased all communication thereafter.

EVIDENCES:

* Copy of cash memo evidencing purchase.
* Correspondence with the opposite party requesting rectification.

TERRITORIAL JURISDICTION:

1. The complainant resides and the transactions occurred within the jurisdiction of this Hon’ble Commission.

PECUNIARY JURISDICTION:

1. As the amount of consideration is below Rs 50 lakhs, this hon'ble commission has jurisdiction to entertain this complaint.

LIMITATION:

1. The present complaint is filed within the period prescribed under section 69 of the Act, 2019.

COURT FEE:

1. As per Rule 7 of Consumer Protection (Consumer Dispute Redressal Commission) Rules 2020

PRAYER:

1. The complainants therefore pray:

i) For a full refund of Rs. 30,000 or replacement of the items with new ones.

ii) Compensation of Rs. 10,000 for the inconvenience and mental agony caused.

iii) For such orders as the Hon'ble Commission may deem fit in the circumstances of the case.

PLACE: Thane

DATED:

NAME OF THE COMPLAINANTS

Mrs. Pushpa Bhalchandra Gupta

Mrs. Pragati Bhalchandra Gupta

VERIFICATION

I, Mrs. Pushpa Bhalchandra Gupta and I, Mrs. Pragati Bhalchandra Gupta, hereby declare that the contents of this complaint are true to the best of our knowledge and belief, and no material fact has been concealed or misrepresented.

Name & signature of the complainants