**BEFORE THE DISTRICT CONSUMER DISPUTES REDRESSAL COMMISSION**

**AT AHMEDABAD CITY**

**CONSUMER COMPLAINT NO. \_\_\_\_\_\_of 2023**

**IN THE MATTER OF:**

From,

Girish Sohanlal Khatri,

Age - 56 years.

Occupation: Retired professor

3339, Vasibhai Ni Chali,

Mahavirnagar, Hirawadi,

Ahmedabad - 382345.

Complainant

Versus

Shri Jagmohan Shah, (Chairman)

Agrwal Kautumbik Samiti Sanchalit Agrwal Hall,

Maruti Geritage, Sardar Chowk,

Vijay Park BRTS, NH-8 Krushnagar.

Naroda, Ahmedabad – 382345.

Opponent

COMPLAINT UNDER SECTION 35 of CONSUMER PROTECTION ACT

MOST RESPECTFULLY SHOWETH:

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,
4. That the Complainant is a retired professor residing at the address mentioned above and the Opposite Parties' addresses are correctly shown above within the jurisdiction of this Hon'ble Commission.
5. The complainant is a consumer of the services of the opposite party as he has got into an agreement with the opponent to book the wedding hall for his brother’s wedding.
6. That the Complainant had to cancel the wedding for failing to get permission from the legal authorities due to pandemic.
7. That on 15.04.2021, the complainant made the claim for the refund of the deposit amount of Rs. 40000 with the opponent.
8. That the opponent refused to return the deposit to the complainant without any justifiable reason.
9. That the complainant made several attempts to contact the opponent to discuss the issue but did not receive any response.
10. That the complainant, thereafter, sent a legal notice to the opponent to rectify the issue but received no response from the opponent.
11. That the actions of the opponents show a clear deficiency in service due to which the Complainant has suffered immense mental agony, inconvenience, and financial loss.
12. Left with no other recourse, the complainant has approached this Commission seeking justice.
13. It is submitted that the present complianant is filed within the limitation period of 2 years from the cause of action that arose as prescribed under section 69 of the Consumer Protection Act 2019.

**CAUSE OF ACTION**: The cause of action arose on 15.04.2021 when the opponent repudiated the legitimate claim of the refund of the deposit amount of the complainant.

**JURISDICTION**: The expenses incurred by the complainant for the treatment of his daughter is less than Rs. 50 lakhs and the opponent resides within the territorial limits of this Hon’ble Commission. Hence this Hon’ble Commission has jurisdiction to try and entertain this complaint.

**COURT FEE:** That the Complainant is complying with the Court Fees Mandated under Rule 7 of the Consumer Protection (Consumer Dispute Redressal Commission) Rules, 2020.

**EVIDENCES**:

Ex.A-1: Photocopy of booking confirmation mail issued by the opponent, dated 31.01.2021.

Ex.A-2: Photocopy of receipt of payment of the booking amount, dated 31.01.2021.

Ex.A-3: Photocopy of legal notice sent to the opponent, dated 15.10.2021.

**PRAYER**:

In the circumstances stated above, the Complainant prays that the Hon'ble Commission may be pleased to:

a) Direct the Opposite Parties to resolve the issue and grant the legitimate mediclaim of the complainant of 40000

b) Award compensation for mental agony and financial loss suffered by the Complainant as the court deems fit.

c)Pass any other order as this Hon'ble Commission may deem fit and proper in the facts and circumstances of the case.

Place: Ahmedabad City (Signature)

Date: Complainant

Verification

Herein I, Girish Sohanlal Khatri, do hereby state on the solemn affirmation that the contents of the above paragraphs are read over and explained to me in my vernacular, and the same are found to be true and correct to the best of my knowledge, belief, and information.

AHMEDABAD CITY Complainant

/0 /2024

DRAFTED AND PRESENTED BY

ADV. XYZ