BEFORE THE DISTRICT CONSUMER DISPUTES REDRESSAL FORUM, NORTH GOA AT PORVORIM

Consumer Complaint No: /20

Ameya Gurudas Naik,

Occupation: Professional Boxer

Aged about 34 years,

R/o H no.12, Chinchwada, Chimbel,

Tiswadi,- Goa- 403006 ..Complainant

V/s

The Managing Director,

Spice Jet Ltd.

319, Udyog Vihar

Phase IV, Gurgaon

122016, Haryana, India ... Opposite Party

**COMPLAINT UNDER SECTION 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 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, had booked air tickets for travel from Goa to Delhi for 4 passengers through the website/app of the Opposite Party bearing PNR No. 858586868 on 12/02/2022 and paid an amount of Rs. 5,0000/- through his debit card.
5. That the Opposite Party arbitrarily and without any intimation to me canceled the aforementioned air tickets booked by the Complainant on 12/02/2022 causing grave inconvenience and financial loss.
6. That on inquiry, the Opposite Party failed to provide any tenable reason for the illegal cancellation of tickets booked by the Complainant.
7. That due to the arbitrary action of the Opposite Party, I have suffered the monetary loss of Rs. 5,000/- paid as the booking amount which has not been refunded to me to date.
8. That the Complainant issued a legal notice dated 25/02/2021 to the Opposite Party calling upon them to refund the entire amount of Rs.5,000/- and to compensate for the loss caused.
9. That the aforesaid acts and omissions of the Opposite Party amount to deficiency in service as well as unfair trade practice as per the Consumer Protection Act, 1986.

IV] **Cause of Action**;

1. The Cause of Action to file this complaint first arose on 17/02/2022 when the Opposite party canceled the ticket without the consent of the Complainant and continued till the Complainant issued legal notice on 25/02/2021 and the Opposite party failed to take action.
2. **Limitation**:
3. That 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
4. **Jurisdiction:**
5. The complainant resides within the jurisdiction of this Hon'ble Court, so also the Opposite Party office is registered within the jurisdiction of this Hon'ble Court. Furthermore, the consideration amount is less than Rs.50 Lakh. Hence this Hon'ble Court has got jurisdiction to try and entertain this complaint.

VI]   **Court Fees:**

1. In line with Rule 7 of Consumer Protection (Consumer Dispute Redressal Commission) Rules, 2020, no court fee has been paid as the value of the impugned product is less than Rs 5 lakhs, and stipulated three copies of the complaint have been submitted.

VII]   **Prayer;**

It is therefore most humbly prayed that setting all the contentions of the Opponents if any an order may kindly be passed against the Opponents in the following terms,

* 1. Direct the Opposite Party to refund the booking amount of Rs. 5,000/- illegally withheld by them along with interest at the rate of 10% p.a. from the date of booking till realization;
  2. Award compensation for the mental agony and inconvenience caused by the Opposite Party of Rs. 1,00,000/-;
  3. Award cost of litigation of Rs. 50,000/-;
  4. Pass any other order that the Hon'ble Forum may deem fit in the interest of justice.

Permission to amend the complaint as and when required may kindly be granted.

**PORVORIM COMPLAINANT**

**/03/2021**

**Verification**

Herein I, Ameya Gurudas Naik, 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.

**PORVORIM**

**/03/2021 Complainant**