**BEFORE THE HON’BLE DISTRICT CONSUMER REDRESSAL COMMISSION BELAGAVI, AT: PORVORIM, GOA.**

**Consumer Complaint No.     /2023**

**BETWEEN**

Mr. Antonio Jeronimo Correia

Son of late Mr Francisco Correia,

Presently residing H.No 982

Roulo Bandh,St Agostinho

Santa Cruz Tiswadi,Goa ……….Complainants

V/s

Air India

Through its Manager / Incharge

Having Office at

Ground Floor, Dempo House

D.B Road, Panaji Goa. ………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 Complainant that he is an Indian Origin holding a Portuguese passport bearing no P754498 issued on 27/4/2017
5. The complainant states that he booked a two-way ticket, bearing eticket no. 0983898488076 of the Air India Airline on 26/02/2021.The complainant states that he travelled from the United Kingdom to India on 10/03/2021 and that he was supposed to return to the United Kingdom on 14/12/2021.
6. The complainant states that as per the said ticket, his travel was confirmed to travel back to the United Kingdom on 14th December 2021 on flight No. AI 145 at 8.00 a.m. from Goa, India to LHR-Heat through London and that the Airport Authority did not seek any other Information from the complainant nor sought any other 2 documents from him till 14th December 2021. The price of the ticket to the United Kingdom was Rs. 90,000/- (Rupees Ninety Thousand only)
7. The complainant states that as usual he reported at the Airport at 4.45 am on 14/12/2021 to catch the said flight and at the check-in counter staff of Air India started requesting the immigration status and certificate of registration of overseas Citizen of India from the complainant. The complainant states that he showed the staff of Air India at the check-in counter, his UK Residence Documentation, which was required as per the advisory to be produced for immigration purposes, and certificate of registration of Overseas Citizen of India.
8. The complainant states that despite showing/ producing for verification the said documents, the staff at the check-in counter for Air India, the opposite party herein, did not allow the complainant to board the flight as a result the complainant could not travel back to the United Kingdom and had to undergo huge financial loss and mental stress/agony.
9. The complainant further states that he was required to be in U.K to take part in the family celebration and being head of the family was required to be present to finalize the marriage of his son who is a resident of U.K and as such this wish of the complainant could not be fulfilled due to this attitude and negligence of the staff of the Air India/the opposite party and therefore the complainant had to undergo mental trauma and entitled to claim compensation from the opposite party.
10. The complainant states that the opposite party failed to provide efficient services to the complainant and due to this attitude of the staff of the opposite party, he could not travel back to the UK and he was directed to go back and report at the office of the opposite party.
11. The complainant states that the complainant visited the office of the opposite party on 15/12/2021. The complainant states that the staff of the opposite party informed the complainant that his ticket had lapsed and that the complainant had to re-book the ticket and demanded an additional amount of Rs. 71,000/- (Rupees Seventy Thousand Only). However, the Complainant could not make payments immediately, and therefore he was withheld from travelling to the United Kingdom.
12. The complainant further states that thereafter through his advocate addressed a legal notice dated 16/12/2021 to the opposite party, calling upon the opposite party to re-book the ticket of the complainant to travel from Goa to London without any further charges and to pay to the complainant an amount of Rs. 5,00,000/- (Rupees Five Lakh Only) within seven days from the date of receipt of the Notice failing which the opposite party was informed that appropriate legal proceeding will be filed against them.
13. The complainant further states that the legal notice was sent to the Opposite party dated 16/12/2021 which was duly received by the Opposite party but they did not comply with the same nor replied.
14. The Complainant states that for his no fault, the checking staff of the Opposite party refused him to board the flight on very silly ground, and in the past, he has travelled on many occasions and has never encountered such misadventure before, and therefore the action of the Opposite Party amounts to deficiency of service under the Consumer Protection Act, 2019.

IV] **Cause of Action**;

1. The Cause of Action to file this complaint first arose on 14/12/2021 when the Complainant was stopped from traveling due to travel issues by the Opposite Party, then continued till legal notice dated 16/12/2021 was issued to the opposite party, however, there was no response to the same.

V]   **Jurisdiction:**

1. The complainant resides within the jurisdiction of this Hon'ble Court, so also the opponent’s society is situated within the jurisdiction of this Hon'ble Court. Hence this Hon'ble Court has got jurisdiction to try and entertain this complaint.

VI]   **Court Fees:**

1. Requisite Court fee as contemplated is paid on this Complaint.

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. Directing the Opponents to pay the entire claim amount of Rs.90,000/- (Rupees Ninety Thousand only) , towards refund of the ticket fare.
2. Directing the Opponents to pay an amount of Rs. 5,00,000/- (Rupees Five Lakhs only) to the Complainant as compensation for the mental harassment, agony, physical torture, and financial losses suffered by the Complainant on account of the ‘Deficiency in service’ rendered by the Opponents.
3. Any other relief for which the Complainant is found entitled be granted.

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

The cost of this complaint may kindly be awarded to the Complainant from the Opponents.

**PORVORIM COMPLAINANT**

**/02/2024**

**Verification**

Herein I, Antonio Jeronimo Correia, 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**

**/02/2024 Complainant**