BEFORE THE DISTRICT CONSUMER DISPUTES REDRESSAL COMMISSION, NORTH GOA AT PORVORIM.

Consumer Complaint No.:- 18 of 2019

**IN THE MATTER OF:**

1. Namdev Raikar alias Namdeu Raicar

Age 74 years

House No. 87

Nagali Taligapo

Goa …

..COMPLAINANT

**AND**

1. Sony India Pvt Ltd.

A-18, Mohan Co-operative Industrial Estate,

Mathura Road,

New Delhi 110044

...OPPOSITE PARTY 1

1. Sanjay Gonsalves

Zeal Infotech,

Jairam Complex, Neugi Nagar

Present address at

Above Canara Bank

First Floor, Santa Cruz

Goa 403005

...OPPOSITE PARTY 2

**COMPLAINT UNDER SECTION 35 of THE CONSUMER PROTECTION ACT, 2019**

**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. The opposite parties are Sony India Pvt Ltd and the authorised service centre of Sony India Zeal Infotech represented by Mr Gonsalves
4. The complainant bought a Sony TV bearing model number KLV-40R482BIN5, Serial Number 3289962 in 2015 for a price of Rs 65,000. The said TV was under warranty for the first 1 year from the time of its purchase and in the month of August 2018 the said TV developed a problem in the back light of the LCD panel.
5. The Complainant reported this problem to the Sony Service Centre who is a Opposite Party No. 2. Authorised personnel from the service centre visited the complainant’s house and informed him that the LCD panel was defective and would have to be replaced with a new LCD panel at the cost of Rs 18,230. He agreed to the purchase and deposited Rs 9000 as an advance amount
6. Upon delivery of the package, the complainant noticed that the packaging seemed suspicious. But the technician assured him it was from Sony so he paid the balance amount and accepted the package.
7. The complainant further states that he learnt that during the last week of August 2018, the Legal Metrology Department of the Government of Goa raided the Sony Service Centre situated at Neugi Nagar, Panaji Goa and learnt that two LCD panels meant to be replaced in the TV sets of some other Sony customers were attached by the Inspector of the Legal Metrology of the Panjim office. It is believed that the said panels were attached by the raiding party as the same violated the provisions of the Legal Metrology Rules 2011.
8. The Complainant states that there is a strong suspicion that the LCD panels in question are believed to be old refurbished LCD panels fraudulently sold to the customers as brand new LCD panels.
9. Hence, he has approached the opposite parties to claim the refund of Rs 18,000, a compensation of Rs 1,00,000 towards mental harassment and Rs 50,000 towards litigation costs.
10. **CAUSE OF ACTION**: The complainant sent a legal notice to the opposite parties on 22.01.2019, hence the cause of action arose on this day.
11. **JURISDICTION**: The consideration amount of the dispute is less than Rs. 50 lakhs and the complainant resides within the territorial limits of this Hon’ble Commission. Hence this Hon’ble Commission has jurisdiction to try and entertain this complaint.
12. **LIMITATION**: The present complaint is being filed within the period of limitation as prescribed under section 69 of the Act, 2019.
13. **COURT FEE**: As per Rule 7 of Consumer Protection (Consumer Dispute Redressal Commission) Rules 2020, the requisite court fee has been paid.

**PRAYER**

The complainant therefore prays to direct the opposite party:-

1. A refund of Rs 18,000 paid for the LCD panels
2. Compensation of Rs 1,00,000 towards mental harassment
3. Compensation of Rs 50,000 towards litigation costs.
4. Such other relief or reliefs which the Honourable Forum deemed fit, just and proper in the circumstances of the case.

**PLACE**: Signature

**DATE**:

**VERIFICATION**

I ,Namdev Raikar alias Namdeu Raicar, aged 74 years, resident of House No. 87,Nagali Taligapo, Goa 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