

Subject: Court Proceedings for Non-Payment of Dues

This is in continuation of the legal notice dated 11 Nov 2024 regarding your outstanding dues to Simpl, amounting to **INR 1507.0**.

Despite repeated reminders, you have wilfully and persistently defaulted on your payment obligations. As clearly stated in the legal notice, we are now compelled to initiate legal proceedings against you before the Hon'ble Court of Small Causes, Bengaluru. **A copy of the plaint is attached for your notice.**

You will now be legally required to attend court hearings in Bengaluru, and be also held liable for any costs, penalties, and interest that may be awarded by the court, in addition to the principal dues.

Do note that failure to comply will result in further legal actions, which could lead to adverse legal and financial consequences, including but not limited to the attachment of assets and other enforcement actions.

For any clarification regarding the legal suit, you may contact Simpl support. We urge you to immediately settle the outstanding amount within 72 hours using the link <https://1sm.pl/qDJCpb> or QR code provided to avoid further escalation.



Regards,

Simpl

IN THE COURT OF SMALL CAUSES JUDGE AT BENGALURU

SC NO: of 2024

BETWEEN

ONE SIGMA TECHNOLOGIES PRIVATE LIMITED

7th FLOOR, TOWER B, DIAMOND DISTRICT

KODIHALLI, BENGALURU,

KARNATAKA-560008

Represented by its authorized signatory ----- **PLAINTIFF**

AND

simpl user

registered mobile number 8789264200 ----- **DEFENDANT**

MEMORANDUM OF PLAINT FILED BY THE PLAINTIFF UNDER ORDER VII RULE 1&2, R/W SECTION 26 OF THE CODE OF CIVIL PROCEDURE, 1908

The Plaintiff above named states as follows:

1. That the Plaintiff is a Private Limited Company registered under the Companies Act, 2013, having its registered office at 7th Floor, Tower B, Diamond District, Kodihalli, Bengaluru - 560008.
2. It is submitted that the Plaintiff is providing a merchant pay later - tab service payment technology platform "**SIMPL**" (Simpl pay Later) through which a Simpl registered user can do online purchases and make payments to merchants. The registered user is then required to settle the money for his/her online transactions to the Plaintiff within a stipulated period of time to enable the Plaintiff to recover the said monies (as the recovery agent of the merchant) and to transfer the said monies to the merchant (with whom the registered user has transacted).
3. It is submitted that the Defendant is a registered user of Simpl, with registered phone number 8789264200. The Defendant had agreed to the terms and conditions of the Plaintiff, which are mandatory, prior to using the services of the Plaintiff. A copy of the terms and conditions of the Plaintiff is herewith annexed as DOCUMENT NO.1.
4. It is submitted that the Defendant, after agreeing to Simpl's terms and conditions and becoming a registered user of Simpl, had made various online purchases using Simpl's services. The total outstanding amount due and payable to Simpl is 1507.0 (Rupees one thousand, five hundred and seven). The statement showing the list of purchases made by the Defendant on various dates and the outstanding payments due from the Defendant is annexed herewith as DOCUMENT NO.2.
5. It is submitted that the Defendant has defaulted in paying his/her outstanding payments due to the Plaintiff in accordance with the agreed terms and conditions on payment and due date. It is further submitted that the Defendant did not pay the Plaintiff even after several reminders, phone calls, and follow-ups by the Plaintiff. Aggrieved by the inactions of the Defendant, the Plaintiff had issued a legal recovery notice on 11 Nov 2024 via post / WhatsApp, directing the Defendant to repay the outstanding amount immediately. Even after receiving the said legal notice, the Defendant has not made payment towards his outstanding amounts due and payable to the Plaintiff. The copy of the notice issued to the Defendant is herewith annexed as DOCUMENT NO.3.
6. **CAUSE OF ACTION:** It is further submitted that the cause of action accrued in favour of Plaintiff, against the Defendant on 18 Apr 2024, when the Defendant breached Simpl's terms and conditions by not repaying the outstanding amounts within the stipulated time. The cause of action further continued on subsequent dates when the Defendant failed to repay the said outstanding amount when the Plaintiff made follow-ups and issued a legal notice to the Defendant.
7. **JURISDICTION:** This Hon'ble court has got both the Territorial and Pecuniary jurisdiction to entertain the present suit.
8. **DECLARATION:** The Plaintiff has not filed any other suit or proceedings before any other court of law on the same cause of action that has arisen in the present suit. It is submitted that the Plaintiff has no other effective

remedy except the filing of the present suit before this Hon'ble court of Law.

9. **VALUATION:** It is submitted that the suit is valued at Rs. 1507.0 (Rupees one thousand, five hundred and seven) for the purpose of court fee and a proper court fee is paid. The valuation slip is annexed with this Plaint.

PRAYER

WHEREFORE, the Plaintiff humbly prays that this Hon'ble Court be pleased to pass a DECREE and JUDGEMENT in favour of Plaintiff,

1. For recovery of **Rs. 1507.0**, which is the outstanding amount due and payable by the Defendant;
2. For recovery of **interest** at the rate of **12% per annum** on the outstanding amount due, from the due date till the date of realization;
3. Award **costs** of the suit in favour of the Plaintiff and against the Defendant to the tune of **Rs. 50,000 (Rupees Fifty Thousand)**;
4. Pass such other relief(s) as this Hon'ble Court deem fit and proper in the interest of justice.

ADVOCATE FOR PLAINTIFF

PLAINTIFF

Place: Bengaluru

Date: December 2, 2024