Once the complaint has been filed and the judicial process set in motion, here are some tips to help you navigate what comes next. In particular, this section deals with what happens once the complaint has been filed and includes sections on the right of appealing a verdict pronounced by a district forum or state level consumer court.

**Q. How is a defect in goods dealt with by the consumer court?**

If the case relates to defect in goods:

- The district forum will obtain a sample of the goods from the complainant, seal and authenticate it and send the sample to a laboratory for an analysis or test to verify the complainant’s claims. The laboratory must report the test results to the court within forty-five days or an extended period decided by the court.

- The court may ask the complainant to deposit the money to conduct such a test with itself.

- The results of the test will be made available to the complainant and opposite party.

- If the results are disputed, objections to the report can be made in writing to district forum

**Q. How is a defect in services dealt with by the consumer court?**

In case the complaint is about a defect in services:

- The district forum will make available a copy of the complaint to the opposite party and ask them to give their version of the case within 30 days or give them an extension not greater than 15 days.

- Denial, disputing or failing to take any action on the complaint will cause the district forum to proceed with the investigation.

- Investigation will proceed on the basis of evidence brought before the court by the complainant and opposite party. In case the opposite party fails to take any action, a decision may be announced by the court ex-parte.

**Q. What is the relief that I can expect to be granted by the consumer court?**

If allegations regarding defects in goods or deficiency in service are proven, the district forum can issue an order to the opposite party to:

- Remove the defect from the goods in question.

- Replace the goods with goods of a similar description which shall be free from any defect.

- Return to the complainant, the price or charges paid by the complainant.

- Award compensation to the complainant. The district forum also has the power to grant punitive damages.

- Discontinue unfair or restrictive trade practices

- Discontinue sale of hazardous products

- Pay a sum determined by the district forum if its sale affects a large number of consumers who are not identifiable conveniently. This sum should not be less than 5 per cent of the value of such defective goods or services provided.

- Issue corrective advertisement to neutralize the effect of misleading ads

**Q. I am not satisfied with the decision. What right do I have to appeal the verdict?**

Yes. Every consumer has the right to appeal a decision within 30 days of the verdict. The appeal is made to a higher court. Thus, a decision of the district forum can be appealed in the state consumer forum while a decision of the state commission can be appealed in the national commission.

If the verdict of the district forum involves payment of a sum of money to the opposite party, 50 per cent of that sum, or Rs 25,000 (whichever is lesser) must be deposited.

If the verdict of the state commission involves payment of a sum of money to the opposite party, 50 per cent of that sum, or Rs 35,000 (whichever is lesser) must be deposited.

**Q. The orders of the consumer court are not being complied with by the opposite party. What now?**

The district forum, state commission or national commission may order the property of the person not complying with such an order to be attached in case of non-compliance with an order.

The attachment of property can be extended to a period of three months at most at the end of which, if the non-compliance continues, the property attached may be sold and damages paid out of the proceeds of the sale.

**Q. If a verdict requires the opposite party to pay a sum of money, how is that money collected?**

The person entitled to the amount is required to make an application to the District Forum, State Commission or National Commission, as the case may be which will then issue a certificate for the said amount to the Collector of the district. The Collector shall proceed to recover the amount in the same manner as arrears of land revenue.

--Ends