**BEFORE THE HON'BLE DISTRICT CONSUMER REDRESSAL FORUM AT THANE**

App. No.: \_\_\_\_\_\_ /…………… in Complaint No.: \_\_\_\_\_\_

……\_\_\_………………………………………………………………………………..Complainant/Applicant

Versus

\_\_\_……………………………………………………………………………………Respondent/Non-Applicants

Application for Additional Evidence.

Respectfully Sheweth:

1. That the above noted Complaint was filed in this Hon'ble Forum by the complainant on \_\_\_\_\_\_\_\_\_\_\_ and the applicant has filed his evidence on \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

2. That due to inadvertent mistake, the applicant could not place on record all the relevant documents.

3. Interest of justice therefore, demands that the applicant is permitted to place on record the following documents to be read in evidence:-

4. It is, therefore, most respectfully prayed that this application may kindly be allowed and the applicant be permitted to place on record the above documents to be read in evidence along with other evidence already produced by the applicant in the interest of justice. Such other orders may kindly also be passed as deemed fit and proper in the facts and circumstances of case.

Coimbatore Complainant/Applicant

\_\_\_\_\_\_ Through, Advocate

**BEFORE THE DISTRICT CONSUMER DISPUTE**

**REDRESSAL FORUM AT THANE**

App No.:\_\_\_\_\_\_ /………. Complaint No: ……………..

……………………………………………………………….Complainant/Applicant

Versus

…………………………………………………………………….Respondents

Affidavit in support of Application

I,\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, do hereby solemnly affirm and declare as under :

1. That accompanying application has been prepared under my instructions.

2. That the contents of paras 1 to \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ of the complaint are correct and true to the best of my knowledge.

3. That I further solemnly affirm and declare that this affidavit of mine is correct and true to the best of my knowledge and no part of it is false and nothing material has been concealed therefrom.

Affirmed at THANE this the \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

Deponent

 **BEFORE THE HON'BLE TN STATE CONSUMER**

**REDRESSAL COMMISSION AT THANE**

Appeal No.:\_\_\_\_\_\_\_\_\_\_ /\_\_\_\_\_\_\_\_\_\_\_\_\_…..

Memo of Parties

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_…………………………………………………………….Appellant

Versus

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_………………………………………………………………………………….Respondents

Appeal under Sections 15 & 17 (a) (ii) of the Consumer Protection Act, 1986 against the order dated \_\_\_\_\_ of Ld. District Consumer Redressal Forum THANE, in case titled as \_\_\_\_\_ THANE

……………………………………………..Appellant

Through, Advocate

**GROUNDS OF APPEAL:**

Respectfully ……………………

1. That the relevant facts and the facts leading to filing of present Appeal are given in brief hereunder in chronological order for the convenience of your Lordships:-

Date \_\_\_\_\_\_

Events \_\_\_\_\_

GROUNDS

2. That the humble appellant is invoking the jurisdiction of this Hon'ble Commission and seeking indulgence on the following grounds amongst others each one of which is without prejudice to and independent of other :-
(a) That the learned Forum below has acted with serious illegality in the exercise of jurisdiction vested in it by law. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
(b) That there has been mis-appreciation of evidence and mis-application of the provisions of law by the Ld. Forum below. \_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
(c) That a breach of the rules of natural justice occurred in connection with the making of the decision. \_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
(d) That procedures that were required to be observed in connection with the making of the decision were not observed. \_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
(e) That the decision was not authorized by the enactment in pursuance of which it was purported to be made. \_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
(f) That the making of decision was on improper exercise of the powers conferred by the enactment in pursuance of which it was purported to be made. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
(g) That decision incurred an error of law whether or not the error appears on the record of decision. \_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
(h) That there was no evidence or other material to justify the making of the decision. \_\_
(i) That the decision was otherwise contrary to law \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ taking an irrelevant consideration into account in the exercise of power. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
(j) That the Ld. Forum below has failed to take relevant consideration into account in the exercise of a power. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
(k) That the Ld. Forum below while making the decision was required by law to reach that decision only if a particular matter \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ was established and there was no evidence or other material [including facts of which the Ld. Forum below was entitled to take notice] from which the Ld. Forum below could reasonably be satisfied that the matter was established and the decision was based on the existence of particular fact and that fact did not exist.
(l) That the Ld. Forum below has not exercised judicious discretion vested in it in accordance with law in passing the impugned order. \_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
(m) That the provisions of law have been mis-construed. More particularly \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
(n) That the Ld. Forum below has failed to appreciate the evidence on record and has drawn wrong inferences from the facts proved on record which has vitiated findings. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
(o) That the Ld. Forum below has failed to appreciate the well-settled principles of law laid down by the Hon'ble Apex Court and this Hon'ble Commission in catena of cases. \_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

3. That no similar Appeal has been filed by the appellant on the similar grounds.

4. That the appeal has been filed within the period of limitation.

5. It is, therefore, most respectfully prayed that this Hon'ble Commission may be pleased to send for the records of the case and after examining the legality of the proceedings, may be pleased to set aside the orders of the Ld. Forum below dated \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ passed in case titled as\_\_\_\_\_ \_\_\_\_\_. Such other orders may also please be passed as deemed fit and proper in the facts and circumstances of the case in favour of the appellant.

THANE Appellant

\_\_\_\_\_\_ Through, Advocate

**Application No.:\_\_\_\_\_\_ /…………………. in Appeal No. \_\_\_\_\_\_ /………………**

…………………………………………………………………………………………..Appellant
 VS
\_\_………………………………………………………………………………………..Respondents

Application for stay of the impugned order of the Ld. District Consumer Redressal Consumer Forum dated \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ case titled as \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Respectfully Sheweth:

1. That the applicants have filed the above mentioned appeal in this Hon'ble court hearing whereof will take sometime.

2. That it is apparent from the grounds of the appeal and the documents attached therewith that the Appellant/applicant has prima facie very good case in his favour and the appeal is bound to succeed.

3. That the interest of justice demands that during the pendency of the appeal operation of the impugned judgment of the Ld. District Redressal Forum below is stayed. Otherwise the applicant will suffer irreparable loss and injury which cannot be compensated in terms of money.

4. It is, therefore, most respectfully prayed that this application may be allowed in the interest of justice and during the pendency of this appeal the operation of the impugned order may be stayed in the interest of justice. Such other orders be also passed as deemed fit and proper in the facts and circumstances of the case.

THANE Appellant

\_\_\_\_\_\_ Through, Advocate

Application No.:\_\_\_\_\_\_ /….. in Appeal No.:\_\_\_\_\_\_ /…….

……………………………………\_\_\_\_\_\_\_…………………………………………………Appellant/Applicant

Versus

\_\_\_\_……………………………………………………………………………………………….Respondents

Affidavit in support of the application for stay

I,\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, do hereby solemnly affirm and declare as under :

1. That the accompanying application has been prepared under my instructions.

2. That the contents of paras 1 to 4 of the application are correct and true to the best of my knowledge.

3. That I further solemnly affirm and declare that this affidavit of mine is correct and true to the best of my knowledge and no part of it is false and nothing material has been concealed therefrom.

Affirmed at THANE this the \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

Deponent

**COMPLAINT AGAINST BANKING SERVICES TO DISTRICT FORUM**

Complaint to District Forum Relating to Deficiency in Banking/ Financing Service Before the District Consumer Protection Forum, Mumbai

Consumer Complaint No. \_\_\_\_ of 2002

XYZ, s/o PQR, of \_\_\_\_\_\_ years,

residing at \_\_\_\_\_\_\_\_\_\_\_\_\_, and

carrying on \_\_\_\_\_\_\_ business. ........ Complainant

**Versus**

Manager, \_\_\_\_\_\_\_\_ Bank,

\_\_\_\_\_\_\_\_\_\_\_ Branch,

Mumbai. ........ Opposite Party

The Complainant above named submits as under:

That the complainant along with ABC and LMN, i.e. the three together, took an agricultural loan of Rs. \_\_\_\_\_\_\_\_\_\_ on \_\_\_day of \_\_\_\_\_\_\_\_\_\_\_ from the Bank opposite party.

That the repayment of the said loan was being made from time to time. But it was realized that the amount of the said loan was getting no reduction and illegal interest was being charged thereon. Therefore, the complainant, by a letter dated \_\_\_\_\_\_\_\_ asked the information from the Bank opposite party as to what was the rate of interest for the years 1999-2000 so that the said loan could be repaid in entirety. The true copy of the said letter is Annexure ''A''.

That the opposite party started quarrelling with my representative on the receipt of the said letter, but did not intimate the rate of interest. Therefore, the opposite party was informed by registered letter No. \_\_\_ dated \_\_\_\_\_\_\_ that the conclusion drawn from the conduct of the opposite party was that there was no balance outstanding in respect of the said loan. Accordingly, the opposite party should close the account of the said loan. The true copy of the said letter is Annexure ''B''.

That since the opposite party never intimated the rate of interest; therefore, the opposite party was informed by registered letter No. \_\_\_\_\_\_\_\_\_, dated \_\_\_\_\_ that only annual interest could be charged on agricultural loan and compound interest could be charged only if loan/ installment was overdue, therefore, the complainant had deposited Rs. \_\_\_\_\_\_\_\_\_/ in excess at the rate of 14% of interest, which should be refunded with ''no-dues certificate'' within one month, the true copy of the said letter is Annexure ''C''. But the opposite party, without disclosing any legal and valid reasons, has neither refunded the amount of excess deposit nor has given the ''no-dues certificate''.

That it is a rule of law that annual interest can be charged on agricultural loan and compound interest can be charged only when loan/installment has become overdue.

That since no installment of loan taken by the complainant from the opposite party was ever outstanding/overdue; therefore, there is no question of charging compound interest thereon. The complainant has repaid Rs. \_\_\_\_\_\_\_/- against the loan of Rs. \_\_\_\_\_\_\_\_\_\_\_. The total interest payable thereon at the rate of 14% per annum is Rs. \_\_\_\_\_\_\_/- but the complainant has paid Rs. \_\_\_\_\_\_\_\_\_/- by way of interest. As such, the complainant has deposited/ paid Rs. \_\_\_\_\_\_\_/- in excess to refund which the opposite party is legally bound.

PRAYER:

In the above mentioned facts and circumstances it is most respectfully prayed that the Honorable District Forum may be pleased to:

direct the Bank opposite party to refund Rs. \_\_\_\_\_\_\_ together with interest at the rate of 18% from \_\_\_\_\_\_\_\_\_\_, the date of last repayment to the date of payment and issue ''no dues certificate''.

direct the bank to pay the complainant proper damages for the mental harassment caused by the Bank opposite party to the complainant.

XYZ

Complainant.

Dated:

Place:

Annexure: A, B, and C.

**COMPLAINT AGAINST DEFECTIVE TELEVISION BEFORE THE CONSUMER DISPUTES REDRESSAL FORUM AT THANE**

Complaint No.\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_of\_\_\_\_\_\_\_\_\_\_\_\_/…\_\_\_\_\_\_\_\_\_\_\_\_\_\_…...

………………………………………………………………………………..Complainant

Versus

……………………………………………………………………………….Respondent.

Complaint under section 12 of the Consumer Protection Act,1986.

Respectfully Sheweth:-

1. The respondent is a manufacturer of Electronics goods including Television Sets and carries on business in the name and style of M/s………………………………………………………………………………………

2. The complaint relates to the malfunctioning of the …………………..………………… purchased by the complainant from the respondent about … months ago.

3. The claim of compensation does not exceed Rs. …………………………..…. This Application is being made within …………………………………… from the date of cause of action for making this application. Thus the complaint is pecuniary jurisdiction and time limitation

4. The complainant purchased one ……………………………..from the respondent at Rs.\_\_\_\_\_\_\_\_\_ on (Dated)\_\_\_\_\_\_\_\_\_\_.

5. The price is paid in cash by complainant at the time of purchase. The respondent has issued a cash memo warranty card. The warranty card guarantee proper functioning of the ………………………………. for three years from the date of purchase.

6. After about …………………….…..days of running the said …………………………… in accordance with the printed instructions given by the respondent the …………………………………. did not work properly (give brief description of malfunctioning/defect of ……………………………….……………).

7. The complainant by this letter dated\_\_......................\_\_\_\_ complained to the respondent detailing about malfunctioning/defects (Letter annexed as Annexure “A”).

8. The respondent sent its mechanic who apparently repaired the defect. But after some time again some defects appears in ……………………………..……….. (give brief description of malfunctioning/defect of …………………………………….……………….).
9. After several reminders the respondent sent its mechanic who tried to repair the ……………………………..………..and ultimately made it workable but stated that these are manufacturing defects and can not be fully repaired.

10. The complainant requested the respondent by a letter dated \_..............\_\_\_\_\_ to replace the said …………………………… as there was a manufacturing defect and in spite of best efforts the respondent’s mechanic could not repair the defects.

The respondent received the said letter but neither replaced the machine nor repaired the defect nor replied to the said complaint. A copy of letter and copy of the receipt are annexed hereto marked “B” and “C”.

11. Copies of the Cash Memo and the Guarantee Card are annexed hereto marked “D and “E” respectively.

12. By reasons of the breach of the agreement, breach of the Warranty and negligence of the respondent, the complainant has suffered loss and damages which the complainant assesses at Rs.\_\_\_\_\_\_\_.\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

In the facts and circumstances of the case the complainant prays for the following reliefs:

To replace the …………………,,,,,,,,,,,,,,. with new one or Refund the Rs. \_\_\_\_\_\_\_\_\_\_\_\_ paid to the respondent for the purchase of the said …………………...

(b) Interest from date of purchase on Rs.\_\_\_\_\_\_\_\_\_ at \_\_\_\_\_\_% per annum.

(c) Damages for harassment, physical injury and mental agony assessed at Rs.\_\_\_\_\_\_\_\_\_.

(d) Costs of the present proceeding.

(e) Further and other relief’s as the complainant is entitled to.

And the complainant as in duty bound shall ever pray.

Place:\_\_\_\_\_\_\_

Date :\_\_\_\_\_\_\_

Complainant
Through Advocate

Annexure “A” to “E”.

**BEFORE THE DISTRICT CONSUMER**

**REDRESSAL FORUM AT THANE**

Complaint No. \_\_\_\_\_\_\_\_\_\_\_of\_\_\_\_\_\_\_\_\_.

………………………………………………………………………………..Complainant

Versus

……………………………………………………………………………..Respondent

Affidavit of Shri \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ s/o Shri\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_,

R/o\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ aged about \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ years, complainant in this case.

I, the above named do hereby solemnly affirm and declare on oath as under: -

1. That the accompanying complaint under section 12 of the consumer protection Act, 1986 has been drafted at my instance.

2. That I have gone through the contents of the said complaint from paras 1 to 12 which I admit as true and correct to my knowledge.

3. That the copies of the documents filed at Annexure “A” to “E” are true and correct of the original retained by the complainant which may be read in evidence.

4. In order to whatever stated above is true and correct to the best of my knowledge. No part of it is false and nothing material has been concealed therefrom.

Verified at \_\_\_\_\_ on this \_\_\_\_ day of \_\_\_\_\_

Deponent

**COMPLAINT AGAINST DEFICIENT COURIER SERVICE BEFORE THE CONSUMER DISPUTES REDRESSAL FORUM AT ……………………….**

Complaint No. \_\_\_\_\_\_\_\_of \_\_\_\_\_\_\_

…………………………………………………………………………….Complainant.

VERSUS

……………………………………………………………………………Respondent

Complaint under section 12 of the Consumer Protection Act, 1986.

Respectfully ………………….-

1. That the complainant on…………………../………………….……. engaged the services of the opposite party/respondent who is engaged as Couriers and handed over a packet in there office at ………………………. containing duly filled and executed admission forms by ………………………………… \_\_\_\_\_\_\_\_ to be delivered to (Name)\_\_\_\_\_\_\_\_ RESI……………………………….. \_\_\_\_\_\_\_\_. The said admission forms were required to be submitted by …….. ……………………. on in the college at ……………..for seeking admission in the Hostel …………………..as student. The receipt issued by the respondent is Annexure-C/1.

2. That the respondent charged a sum of Rs……………….- as urgent charges from the complainant and assured the delivery of the packet with in ……… hours on the above given address. On inquiry made by the complainant when the packet did not reach by …………………../………..the complainant approached the respondent but they failed to offer any explanation about the non delivery of the said packet in time.

3. That when the complainant realized that the said packet may not reach in time she herself go to …………………….and submit another copies of application forms at on………………dated……./…………..

4. That on inquiry it transpired that the respondent/opposite party delivered the packet to Mr. (Name) \_\_\_\_\_\_ at ………… on ………./…………… after a lapse of ……………days.

5. That on account of non-delivery of the packet by the respondent within a stipulated period as assured, the complainant has been made to suffer a lot as she has to rush to ………………………………………..by spending good expenses to complete the required formalities for getting her daughter admitted in the college hostel at ……………………...

6. That such an act and omission on the part of the respondent couriers amounts to deficiency in service, restrictive trade practice and unfair trade practice within the preview of consumer protection Act,1986.

7. That the complainant has suffered a lot of mental agonies, financial loss and harassment at the hands of the respondent for which the complainant deserve to be compensated amply and suitably in terms of money in the interest of justice. The respondent is liable to be settled with costs and damages.

8. That a legal notice dated ………………. has also been issued to the respondent under Registered cover demanding compensation of Rs. ……….- but the respondent has refused to accept the same deliberately and intentionally. Copy of the legal notice is annexure-C/2 and envelope is Annexure-C/3

9. That the complainant is entitled to a compensation of Rs. ……………….- from the respondent on account of financial loss, mental tension and harassment caused to her due to the deficiency of service provided to the complainant.

10. That since the part of cause of action has arisen at …………………. and this Hon’ble forum has jurisdiction to try the present complaint as the subject matter of the complaint is a consumer dispute.

It is, therefore, prayed that the present complaint may kindly be allowed by passing following orders, directions in favour of the complainant and against the respondent in the interest of justice and fair play.

1. Direct the respondent to pay a compensation amounting to Rs. Rs. ……………. to the complainant on account of delay, inconvenience, mental agony harassment

2. Direct the respondent to pay litigation costs amounting to Rs. …………..- in addition to the above amount.

3. Any other relief which this learned forum deems fit in the facts and circumstances may also be allowed to the complainant.

Complainant

Through (Counsel)

Annexures C1 to C3

Affidavit of MR……………….S/O………………………………RESI……………………………… \_\_\_\_\_\_\_\_\_\_\_\_,

\_\_\_\_\_\_\_\_\_ aged about \_\_\_\_\_\_\_ years, complainant .

I, the above named do hereby solemnly affirm and declare on oath as under: -

1. That the accompanying complaint under section 12 of the consumer protection Act, 1986 has been drafted at my instance.

2. That I have gone through the contents of the said complaint from paras 1 to 10 which I admit as true and correct to my knowledge.

3. That the copies of the documents filed at Annexure “C1” to “C3” are true and correct of the original retained by the complainant which may be read in evidence.

4. In order to whatever stated above is true and correct to the best of my knowledge. No part of it is false and nothing material has been concealed therefrom.

Verified at \_\_\_\_\_ on this \_\_\_\_ day of \_\_\_\_\_

Deponent

**COMPLAINTS AGAINST AIRLINES**

BEFORE THE CONSUMER DISPUTES REDRESSAL DISTRICT FORUM AT BOMBAY

ORIGINAL COMPLAINT NO. OF 1999.

XYZ & & Complainant

Versus

Arctic Airways & Opposite Party

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BEFORE THE CONSUMER DISPUTES REDRESSAL DISTRICT FORUM AT BOMBAY

ORIGINAL COMPLAINT NO. OF 1999.

Mr. XYZ,

18, Raza Bldg.,

R.M Road, Mumbai 400 024. & Complainant

Versus

Arctic Airways,

Mumbai Airport Terminal II A

Sahar, Mumbai 400 099. & Opposite Party

This complaint under section 12(a) of the Consumer Protection Act, 1986, is presented on the grounds stated herein under:-

1.     That the Complainant is a diamond merchant and frequently travels out of India for business commitments and the Arctic Airways, the Opposite Party abovenamed, is a scheduled Airline operating flights to and from India and having its office at the address given in the title above.

2.     That the Complainant on 19/6/1999 travelled from London to Mumbai by Arctic Airways by flight No.BA 174 and carrier flight No.BA 139. When the Complainant reached Mumbai Airport, he found that his baggage included suitcase bearing carrier-bag tag No.DA 649098, brand name UNK had major damages and inter-alia following articles were lost from the said suitcase viz.

                              i.                One suit costing 34,950 Belgium Frank

                             ii.                Two sarees costing US $ 100 each

                            iii.                Two jeans costing US $ 90 each and,

                            iv.                Other articles The above articles totally weighed 12 kgs and the net value of the above lost articles was Rs.1,48,463/-.

**Ex.A**

3.     The Complainant immediately informed the Opposite Party at the Sahar Airport, Mumbai about the said loss articles. The said representative inspected the damaged suitcase and issued memo for damaged articles duly filled after the inspection wherein the damage has been shown as the major damage. The Opposite Party’s representative at the Airport informed the Complainant that the Complainant would be compensated for the said loss of articles. Hereto annexed and marked as Ex.A is the copy the above memo.

4.     The Complainant thereafter visited the Opposite Party twice or thrice when he was informed that he had to give written complaint for the above loss.

**EX. B**

5.     The Complainant on 28/6/1999 forwarded the written complaint dated 26/6/1999 to the Opposite Party. The Opposite Party asked the Complainant to produce the bills for the purchase of the said lost articles. Hereto annexed and marked Exhibit "B"is the copy of the said complaint dated 26/6/1999.

**EX.C**

6.     Accordingly by a letter dated 29/6/1999, the Complainant submitted the bill for the purchase of the suit and also informed the Opposite Party that sarees and jeans were purchased on cash payment from New York and the bills for the said sarees and jeans have been lost with the above articles. Hereto annexed and marked as Exhibit "C"is the copy of the said letter dated 29/6/1999.

**EX.D**

7.     The Complainant states that by a reply dated 2/7/1999 the opposite party informed the complainant that they were liable for only the missing 12 kgs of the articles and were ready to reimburse the complainant US$240/-. The complainant did not accede to the said offer as it was much less then the value of the lost articles. Hereto annexed and marked as Ex.`D"is the copy of the above reply dated 2/7/1999.

**EX.F**

8.     The Complainant states that again by a letter dated 9th July 1999 (the date is wrongly mentioned as 09 June 1999 in the said letter), the opposite party expressed their inability to pay the amount claimed by the complainant and reiterated that they were unable to better their offer of USD 240/-. Hereto annexed and marked as Ex.`E’is the copy of the above letter dated 9th July 1999.

**EX.F**

9.     As the Opposite Party did not accede to the complainant’s request, the complainant by an advocate’s notice dated 24th August 1999 called upon the Opposite Party to pay the loss suffered by the Complainant within 7 days of the receipt of the said notice. The said notice was duly received by the Opposite Party but neither they paid the above amount to the complainant nor replied to the said notice. Hereto annexed and marked as Ex. `F’is the copy of the above notice and its acknowledgment.

10.  The Complainant states that the amount offered by the opposite party for the loss of above articles is much less then the actual amount of the lost articles. The opposite party is responsible for the compensation of the lost articles according to the claims made by the complainant. The opposite party ought to have taken sufficient and adequate steps to avoid the loss due to its negligence and inefficiency. The opposite party is negligent in handling the above baggages of the Complainant. Because of the negligence of the Opposite Party, the Complainant has lost the above articles from his suitcase. All the articles, which are carried by the passengers with them, are kept in the custody of the crew members of the flight and the said crew members are duty bound to handle with care the above articles. If any articles are lost and/or damaged during the travel by Air flight, then the negligence can be imputed on the part of the Airlines. In the above case the Complainant had trusted his baggage with the Airlines during his travel from London to Mumbai and the said baggage had been damaged during the travel. The Airlines did not handle the said baggage with due care and therefore they are negligent in handling the said baggage and therefore there is deficiency in service on the part of the Opposite Party.

11.

**Ex.G**

The total claim of the Complainant is Rs. 2,18,463/- as per the particulars of the claim annexed hereto as Ex.`G’which is less than Rs.5 lacs and the cause of action arises in Andheri, Mumbai, hence the district forum has the jurisdiction to try and entertain this complaint. The complainant when arrived at the Mumbai airport he came to know about the lost articles. The complaint about the said loss articles was made at Mumbai to the opposite party and the opposite party made the offer for compensation from their office at Mumbai. Therefore, this forum has the jurisdiction to try and entertain the complaint.

12.  The complainant has not filed any complainant having the same cause of action in any other forum or court.

13.  The claim in the complaint is not barred by the law of limitation.In the circumstances, the Complainant therefore prays that:

a.     the opposite party be directed to pay to the Complainant the sum of Rs. 1,48,463/- being a loss incurred by the Complainant on account of the negligence and inefficiency of the opposite party:

b.    the Opposite Party be directed to pay to the Complainant the sum of Rs. 20,000/- being the cost of the legal expenses borne by the Complainant;

c.     the opposite party be directed to pay to the complainant the sum of Rs.50,000/- being the cost of the visiting the opposite party, phone calls, follow up and mental agony and harassment suffered by the Complainant due to negligence and deficiency in service by the opposite party.

d.    any other relief deemed fit and proper in the circumstances of the case. Dated this day of December 1999 Advocate for the Complainant Complaint

**VERIFICATION**

I, XYZ of Mumbai, Indian Inhabitant the complainant abovenamed carrying on business at 18, Raza Bldg., R.M Road, Mumbai -- 400 024 do hereby solemnly declare and state that what is stated in paragraphs no.1 to 10 of the above complaint is true to my own knowledge and what is stated in the remaining paragraphs is stated on information and belief and I believe the same to be true.

Solemnly declared at Mumbai )

this day of December 1999 )

Before me

Advocate for the Complainant

BEFORE THE CONSUMER DISPUTES REDRESSAL

DISTRICT FORUM AT BOMBAY

ORIGINAL COMPLAINT NO. OF 1999.

XYZ & & Complainant

Versus

Arctic Airways & Opposite Party

PARTICULARS OF CLAIMS

1.             Loss of Articles

a.     Two Sarees costing US $ 100 each

b.    Two jeans costing US $ 90 each

c.     Other articles

2.             Cost of damaged Suit case brand UNK 34,950 Belgium Frank In Rupees : 1,48,463/-

3.             Cost for visiting the opposite party, phone calls, mental agony And harassment Suffered by the complainant and time lost in the follow-up with the opposite party In Rupees : 50,000/-

4.             Legal expenses In Rupees : 20,000/- ---------------------------------------------------------------------------------------

Total in Rupees : 2,18,463/-

BEFORE THE CONSUMER DISPUTES REDRESSAL

DISTRICT FORUM AT BOMBAY

ORIGINAL COMPLAINT NO. OF 1999.

XYZ,

18, Raza Bldg.,

R.M Road, Mumbai 400 024. & Complainant

Versus

Arctic Airways

Mumbai Airport Terminal II A

Sahar, Mumbai 400 099. & Opposite Party

VAKALATNAMA

I, XYZ, the complainant abovenamed do hereby appoint Mr. ABC to act, appear and plead for me in the above matter.

IN WITNESS, WHEREOF, I have affixed my hands to this writing.

Dated this day of December 1999

Accepted

Complainant

ADVOCATE

N.B. I am not the member of the Advocate’s welfare fund

BEFORE THE CONSUMER DISPUTES REDRESSAL

DISTRICT FORUM AT BOMBAY

COMPLAINT NO. OF 1999

XYZ & Complainant

Versus

Arctic Airways

& Opposite Party

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ORIGINAL COMPLAINT

------------------------------------------------

DATED THIS DAY OF DEC.99

ADVOCATE FOR COMPLAINANT

**CONSUMER COMPLAINANT WITHDRAWL**

BEFORE THE HON'BLE DISTRICT CONSUMER REDRESSAL FORUM AT …………………………..

App. No.:\_\_\_\_\_\_ /…………..in Complaint No.: \_\_\_\_\_\_\_

…………………………………………………………………………………………..Complainant

Versus

\_\_\_\_\_\_\_\_…………………………………………………………………………..Respondent

Application for Withdrawal of Complainant

Respectfully Sheweth:

1. That the above noted Complaint was filed in this Hon'ble Forum by the complainant on \_\_\_\_\_\_\_\_\_\_.

2. That the complainant wants to withdraw the above complaint as the complainant has reached to compromise / wants to avail of the alternative remedy.

3. It is, therefore, most respectfully prayed that the complainant may kindly be permitted to withdraw the above complaint with a liberty to approach the appropriate alternative forum on the same cause of action in the interest of justice. Such other orders may kindly also be passed as deemed fit and proper in the facts and circumstances of case.

……………………………….. Complainant

\_\_\_\_\_\_ Through, Advocate

**BEFORE THE DISTRICT CONSUMER DISPUTE REDRESSAL FORUM AT ……………………..**

App No.: \_\_\_\_\_\_ /………… Complaint No: \_\_\_\_\_\_\_\_\_

……………………………………………………………………………….Complainant

Versus

..………………………………………………………………………………Respondents

Affidavit in support of Application for restoration.

I,………………………………………………..do hereby solemnly affirm and declare as under :

1. That accompanying application has been prepared under my instructions.

2. That the contents of paras 1 to\_\_\_\_\_\_\_ \_\_\_\_\_ of the complaint are correct and true to the best of my knowledge.

3. That I further solemnly affirm and declare that this affidavit of mine is correct and true to the best of my knowledge and no part of it is false and nothing material has been concealed therefrom.

Affirmed at …………………………..thisthe \_\_\_\_\_\_ .

Deponent

**CONSUMER COMPLAINT 2**

BEFORE THE HON'BLE DISTRICT CONSUMER DISPUTE REDRESSAL FORUM AT …………….

App No :………………./…………….. in Complaint No: \_\_\_\_\_\_\_..........

…………………………………………………………………………………..………….Applicants

Versus

………………………………………………………………………………………………Respondents

Application under Section 151, Order 38 Rule 1 and 2 of CPC read with Section 13 [4] [I] of The Consumer Protection Act, 1986 for \_\_\_\_\_\_\_ arrest of the opposite parties Nos 1 and 2 before judgment.

Respectfully Sheweth :

1. That the complainants/applicants have filed the above complaint in this Hon'ble Forum, hearing whereof will take some time.

2. That when the complaint came up before this Hon'ble Forum on \_\_\_\_\_\_\_\_\_\_\_\_, this Hon'ble Forum was pleased to issue notices to the respondents.

3. That \_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

4. That seeing the conduct of the respondents Nos. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, the complainants/applicants have reasonable apprehensions that the respondent No. \_\_\_\_\_\_\_\_\_\_ are doing so with intent to delay the complainant and to avoid the process of this Hon'ble Court and obstruct and delay the administration of justice, process of this Hon'ble Forum and execution of order that may be passed by this Hon'ble Forum. It is further submitted that the respondent Nos. \_\_\_\_\_\_\_\_\_\_\_ have wound up their business at \_\_\_\_.\_\_\_\_\_\_\_\_\_\_\_\_\_\_..and are likely wound up their business at \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ and defrauded their customers of their hard earned money to the tune of crores of rupees. The respondent Nos. \_\_\_\_ are now about to abscond or leave the local limits of the jurisdiction of this Hon'ble Forum and have already disposed of and removed from the local limits of the jurisdiction of this Forum their property. The circumstances are affording reasonable probability that the respondents are about to leave India as there will be multiplicity of litigation against them as they have started their business solely with a view to defraud the customers.

5. That interest of justice therefore, demands that this Hon'ble Forum may be pleased to issue a warrant to arrest the respondent Nos.\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_ and bring them before the Forum to show cause why they should not furnish security for their appearance for enforcing their attendance.

6. It is, therefore, most respectfully prayed that this application may be allowed and during the tendency of this complaint, the warrant for arrest of respondent No. \_\_\_\_\_\_\_\_\_\_\_ be issued and security obtained from them in accordance with law. This Hon'ble Forum may also be pleased to take note of the contempt committed by the respondents Nos. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_. Such other orders be also passed in favour of the complainants as deemed fit and proper by this Hon'ble Court in the facts and circumstances of the case.

AND FOR THIS ACT OF KINDNESS, THE HUMBLE APPLICANT AS IN DUTY BOUND, SHALL EVER PRAY.

…………………………………. Applicants

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Through, Advocate

**BEFORE THE HON'BLE DISTRICT CONSUMER DISPUTE REDRESSAL FORUM**

App No :……………/……….. In Complaint No :\_\_\_\_\_\_

……………………………………………………………………………………....Applicant

Versus

……………………………………………………………………………..………..Respondents

Affidavit in support of Application under Section 151, Order 38 Rule 1 and 2 of CPC read with Section 13 [4] [I] of The Consumer Protection Act, 1986.

I, \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_..\_\_, do hereby solemnly affirm and declare as under :-

1. That the accompanying application has been prepared under my instructions

2. That the contents of paras 1 to\_\_\_\_\_\_\_\_ \_\_\_\_ of the accompanying application are correct and true to the best of my knowledge.

3. That I further solemnly affirm and declare that this affidavit of mine is correct and true, no part of it is false and nothing material has been concealed therein.

Affirmed at ………………………………………….this the \_.............................\_\_\_\_\_.

Deponent

**CONSUMER COMPLAINT BEFORE THE DISTRICT CONSUMER DISPUTE REDRESSAL FORUM**

BEFORE THE DISTRICT CONSUMER DISPUTE REDRESSAL FORUM, DISTRICT\_\_\_\_\_\_\_\_\_\_\_\_\_

CONSUMER COMPLAINT NO. \_\_\_\_\_\_\_\_\_\_\_ OF \_\_\_\_\_\_\_

IN THE MATTER OF:

LML, Son of \_\_\_\_\_\_\_, of \_\_\_\_ years,

Indian Inhabitant, Residing at \_\_\_\_\_\_

Carrying on \_\_\_\_\_\_\_\_\_\_ business. ..COMPLAINANT

Vs

PQR Ltd. having its registered office

at \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ ..OPPOSITE PARTY

**COMPLAINT UNDER SECTION 12 OF THE CONSUMER PROTECTION ACT, 1986**

MOST RESPECTFULLY SHOWETH:

1.     That the complainant purchased a fax machine bearing model No. \_\_\_\_\_\_\_\_ from \_\_\_\_\_\_\_\_\_\_\_ Company Lt. on \_\_\_ of 2002 for a sum of Rs. \_\_\_\_\_\_\_\_\_\_\_.

2.     That on \_\_\_\_\_\_\_ date the fax machine was delivered to the complainant and a receipt bearing No \_\_\_\_\_\_\_\_ for the payment was given by \_\_\_\_\_\_\_\_\_\_.

3.     That the fax machine thereafter developed certain fault for which repeated complaints were made to the opposite party. However, the opposite party made no effort to rectify the said faults.

4.     That on \_\_\_\_\_\_\_\_\_ date a written complaint was delivered at the office of the opposite party, in spite of which, the opposite party did not send any service engineer to rectify the faults. A true copy of the said complaint is annexed hereto as Annexure-''A''

5.     That due to the negligent acts of the opposite party the complainant has suffered loss and injury due to deprivation, harassment, mental agony and loss of professional practice, for which he is entitled to compensation.

6.     That the fax machine has a warranty for a period of \_\_\_\_\_ years.

7.     That the opposite party is liable for breach of contact as it has not complied with the terms of the guarantee and have acted extremely negligently in attending to the complaint of the complainant and is therefore liable to compensate the complainant for the loss and injury caused to him.

8.     That the cause of action arose on \_\_\_\_\_\_\_ date when the fax machine developed certain faults as mentioned above. The cause of action further arose on \_\_\_\_\_\_\_ date, when a written complaint was filed by the complainant.

9.     That for the purposes of section 11 of the Act, compensation claimed by the complainant is below Rs. \_\_\_\_\_\_\_\_\_\_/- so this forum has jurisdiction to determine and adjudicate this dispute.

10.  That the complainant is a consumer as defined under the act.

PRAYER:

In the above mentioned facts and circumstances it is most respectfully prayed that the Hon''ble Forum may be pleased to:

a.     Order the opposite party to pay Rs. \_\_\_\_\_\_\_\_ as compensation and Rs. \_\_\_\_\_\_\_\_\_\_\_\_\_ as costs;

b.    Pass any other such order, as this Hon''ble Forum may deem fit and proper in the interests of justice.

LML

..Complainant

Place:

Dated:

**VERIFICATION:**

I \_\_\_\_\_\_\_\_\_\_\_\_\_\_Son of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Residing at \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ do hereby solemnly affirm and state that the contents and particulars of the complaint stated above are true and correct to the best of my knowledge and belief and no part of it is false and nothing material has been concealed therein.

Verified at \_\_\_\_\_\_\_\_\_\_ on \_\_\_ day of \_\_\_\_\_\_\_\_\_\_ 2002.

..Complainant

**CONSUMER COMPLAINT No.2**

BEFORE THE HON'BLE TN STATE CONSUMER REDRESSAL COMMISSION AT ……………………………

Complaint No.: \_\_\_\_\_\_ /………………….

………………………………………………………………………………………………………..Complainant

Versus

………………………………………………………………………………………………………..Respondents

Complaint under Section 17 (a) (i) of The Consumer Protection Act 1986

Respectfully Sheweth:

1. That the relevant facts and the facts leading to filing of present complaint are given in brief hereunder in chronological order for the convenience of your Lordships:-

Date\_\_\_\_\_\_

Events \_\_\_\_\_\_

2. That \_\_\_\_\_\_\_

**GROUNDS**

3. That the above being the background of the case, the complainant is entitled to maintain and file the present complaint before this Hon'ble Commission on the following grounds amongst others, each one of which is without prejudice to others, and seeks the indulgence of this Hon'ble Commission to issue directions or orders to the opposite parties deemed appropriate :-

(a) That such an act and omission on the part of the opposite parties amounts to deficiency in service, restrictive trade practice and unfair trade practice under the purview of the Consumers Protection Act.

(b) That \_........................................

(c) \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_That the complainant has suffered lot of avoidable mental agonies, physical harassment and financial loss, irreparable loss and injury at the hands of the opposite parties for which the complainant deserves to be amply and suitably compensated in terms of money in the interest of justice.

(d) That the opposite parties deserves to be saddled with heavy and extra-ordinary costs so that the opposite parties can be deterred from adopting such mal-practice in future.

(e) That the complainant herein deserves to be amply compensated in terms of money for the inconvenience, traveling expenses, for mental agonies, damages, delayed service/no service, interest, and loss suffered due to negligence and dereliction of duties by the opposite parties.

(f) That opposite parties are stopped due to their own act, deed and conduct from denying the rightful claim of the complainant.

8. That the complaint is within the period of limitation.

9. That this Hon'ble Commission has a jurisdiction to entertain and to try the complaint as the headquarters of both the complainants and the opposite parties are within the jurisdiction of this Hon'ble Commission.

10. It is, therefore, prayed that this Hon'ble Commission may be pleased to pass the following orders, directions and grant the following reliefs in favour of the complainant in the interest of justice :-

(a) Direct the opposite parties to pay a full sum of \_\_\_\_\_ along with interest @ 24% from the date of payment till realisation;

(b) Direct the \_\_\_\_\_\_\_

(c) Saddle the opposite parties with special and extra-ordinary costs as deemed fit so as to deter them from adopting such malpractice in future;

(d) Award a compensation of Rs \_\_\_\_\_\_ to the complainant on account of mental agony, physical harassment, and financial loss;

(e) Allow the cost of this complaint;

(f) Pass such other orders in favour of the complaints as deemed fit and proper in the facts and circumstances of the case.

AND FOR THIS ACT OF KINDNESS,

**THE HUMBLE APPLICANTS AS IN DUTY BOUND, SHALL EVER PRAY.**

………………………………. Complainant

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Through, Advocate

Before the Hon'ble TN State Consumer Redressal Commission at ………………………….

Complaint No.: \_\_\_\_\_\_ /………….

……….…………………………………………………………………………………………Complainant

Versus

……..……………………………………………………………………………………………Respondents

Affidavit in support of complaint Under Section 17 of the Consumer Protection Act 1986

I,\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, do hereby solemnly affirm and declare as under:-

1. That the accompanying complaint has been prepared under my instructions.

2. That the contents of paras 1 to \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ of the complaint are correct and true to the best of my knowledge.

3. That I further solemnly affirm and declare that this affidavit of mine is correct and true to the best of my knowledge and no part of it is false and nothing material has been concealed therefrom.

Affirmed at ………………………. this the \_\_\_\_\_\_.

Deponent

 **CONSUMER COMPLAINT No.3**

BEFORE THE DISTRICT CONSUMER DISPUTE REDRESSAL FORUM AT ………………………………………………….

Complaint No.:\_\_\_\_\_\_ /…………………..

…………………………………………………………………………………….Complainant

Versus

….…………………………………………………………………………………..Respondents

Complaint under Section 12 of The Consumer Protection Act 1986

Respectfully Sheweth:

1. That the relevant facts and the facts leading to filing of present complaint are given in brief hereunder in chronological order for the convenience of your honor:-

Date \_\_\_\_\_\_

Events \_\_\_\_\_\_

(a) \_\_\_\_\_\_\_\_

**GROUNDS**

2. That the above being the background of the case, the complainant is entitled to maintain and file the present complaint before this Hon'ble Forum on the following grounds amongst others, each one of which is without prejudice to others, and seeks the indulgence of this Hon'ble Forum to issue directions or orders to the opposite parties deemed appropriate :-

(a) That such an act and omission on the part of the opposite parties amounts to deficiency in service, restrictive trade practice and unfair trade practice under the purview of the Consumers Protection Act.

(b) That the complainant has suffered lot of avoidable mental agonies, physical harassment and financial loss, irreparable loss and injury at the hands of the opposite parties for which the complainant deserves to be amply and suitably compensated in terms of money in the interest of justice.

(c) That the opposite parties deserves to be saddled with heavy and extra-ordinary costs so that the opposite parties can be deterred from adopting such mal-practice in future.

(d) That the complainant herein deserves to be amply compensated in terms of money for the inconvenience, traveling expenses, for mental agonies, damages, delayed service/no service, interest, and loss suffered due to negligence and dereliction of duties by the opposite parties.

3. That the complaint is within the period of limitation.

4. That this Hon'ble Forum has a jurisdiction to entertain and to try the complaint as the headquarters of both the complainants and the opposite parties are with in the jurisdiction of this Hon'ble Forum. It is submitted that the present complaint is being filed without prejudice to other rights or remedies available to the complaint.

5. It is, therefore, prayed that this Hon'ble Forum may be pleased to pass the following orders, directions and grant the following reliefs in favour of The complainants in the interest of justice :-

(a) Direct the opposite parties to \_\_\_\_\_ along with interest @ …..% from the date of payment till realisation;

(b) Saddle the opposite parties with special and extra-ordinary costs as deemed fit so as to deter them from adopting such malpractice in future;

(c) Award a compensation of Rs. \_\_\_\_\_ to the complainant on account of mental agony, physical harassment, and financial loss;

(d) Allow the cost of this complaint;

(e) Pass such other orders in favour of the complaints as deemed fit and proper in the facts and circumstances of the case.

AND FOR THIS ACT OF KINDNESS, THE HUMBLE APPLICANTS AS IN DUTY BOUND, SHALL EVER PRAY.

………………………………. Complainant

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Through, Advocate

**BEFORE THE DISTRICT CONSUMER DISPUTE REDRESSAL FORUM AT ……………………………..**

Complaint No:\_\_\_\_\_\_ /…………..

………………………………………………………………………………..Complainant

Versus

…………………………………………………………………………………Respondents

Affidavit in support of complaint Under Section 12 of the Consumer Protection Act 1986

I, \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, do hereby solemnly affirm and declare as under:-

1. That the accompanying complaint has been prepared under my instructions.

2. That the contents of paras 1 to 5 of the complaint are correct and true to the best of my knowledge.

3. That I further solemnly affirm and declare that this affidavit of mine is correct and true to the best of my knowledge and no part of it is false and nothing material has been concealed therefrom.

Affirmed at ……………………………………..this the \_\_\_\_\_.

 **CONSUMER COMPLAINT RESTORATION**

BEFORE THE HON'BLE DISTRICT CONSUMER REDRESSAL FORUM AT ……………………..

App. No.:\_\_\_\_\_\_ of 20…………… in Complaint No.:\_\_\_\_\_\_

………………………………………………………………………………………….Complainant/Applicant

Versus

…………………………………….………………………………………………………Respondent/Non-Applicants

Application for restoration of Complainant dismissed in default.

Respectfully …………….

1. That the above noted Complaint was filed in this Hon'ble Forum by the complainant on \_\_.\_\_\_\_\_\_.\_\_\_\_.

2. That when the above noted complaint came up for hearing on \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, this Hon'ble Forum was pleased to dismiss the same in default.

3. That the absence of the complainant on the date of hearing was neither intentional nor willful, but for the good and sufficient reasons hereinabove stated. Interest of justice therefore, demands that the complaint is restored to its original position so that the substantial dispute involved in the complaint can be adjudicated upon on its merit by this Hon'ble court.

4. It is, therefore, most respectfully prayed that this application may kindly be allowed and the above complaint may kindly be restored to its original position in the interest of justice. Such other orders may kindly also be passed as deemed fit and proper in the facts and circumstances of case.

……………………… Complainant/Applicant

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Through, Advocate

**BEFORE THE DISTRICT CONSUMER DISPUTE REDRESSAL FORUM AT …………………………………..**

App No.: \_\_\_\_\_\_ of 20………….. Complaint No: \_\_\_\_\_\_

….……………………………………………………………Complainant/Applicant

Versus

………………………………………………………………………Respondents

Affidavit in support of Application for restoration

I, \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, do hereby solemnly affirm and declare as under :

1. That accompanying application has been prepared under my instructions.

2. That the contents of paras 1 to \_\_\_\_\_\_\_\_\_\_\_\_ of the complaint are correct and true to the best of my knowledge.

3. That I further solemnly affirm and declare that this affidavit of mine is correct and true to the best of my knowledge and no part of it is false and nothing material has been concealed therefrom.

Affirmed at…………………………….this the \_\_\_\_\_\_.
Deponent

**CONSUMER ELECTRIC COMPLAINT 2**

BEFORE THE DISTRICT CONSUMER DISPUTE

 REDRESSAL FORUM AT ………………….

Complaint No: \_\_\_\_\_\_ of 20…….

…………………………………………………………………………...Complainant

Versus

……………………………………………………………………………Respondents

Complaint under Section 12 of The Consumer Protection Act 1986

Respectfully …………….:

1. That the relevant facts and the facts leading to filing of present complaint are given in brief hereunder in chronological order for the convenience of your honor :-

Date \_\_\_\_\_\_

Events \_\_\_\_\_\_

2. \_\_\_\_\_\_\_\_

GROUNDS

3. That the above being the background of the case, the complainant is entitled to maintain and file the present complaint before this Hon'ble Forum on the following grounds amongst others, each one of which is without prejudice to others, and seeks the indulgence of this Hon'ble Forum to issue directions or orders to the opposite parties deemed appropriate

(a) That such an act and omission on the part of the opposite parties amounts to deficiency in service, restrictive trade practice and unfair trade practice under the purview of the Consumers Protection Act.

(b) That the complainant has suffered lot of avoidable mental agonies, physical harassment and financial loss, irreparable loss and injury at the hands of the opposite parties for which the complainant deserves to be amply and suitably compensated in terms of money in the interest of justice.

(c) That the opposite parties deserves to be saddled with heavy and extra-ordinary costs so that the opposite parties can be deterred from adopting such mal-practice in future.

(d) That the complainant herein deserves to be amply compensated in terms of money for the inconvenience, traveling expenses, for mental agonies, damages, delayed service/no service, interest, and loss suffered due to negligence and dereliction of duties by the opposite parties.

4. That the complaint is within the period of limitation.

5. That this Hon'ble Forum has a jurisdiction to entertain and to try the complaint as the headquarters of both the complainants and the opposite parties are with in the jurisdiction of this Hon'ble Forum.

6. It is, therefore, prayed that this Hon'ble Forum may be pleased to pass the following orders, directions and grant the following reliefs in favour of The complainants in the interest of justice :-

(a) Direct the opposite parties to refund the excessive charges levied from the complainant along with interest @ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_… from the date of payment till realisation;
(b) Saddle the opposite parties with special and extra-ordinary costs as deemed fit so as to deter them from adopting such malpractice in future;

(c) Award a compensation of Rs ……………….- to the complainant on account of mental agony, physical harassment, and financial loss;

(d) Allow the cost of this complaint;

(e) Pass such other orders in favour of the complaints as deemed fit and proper in the facts and circumstances of the case.

AND FOR THIS ACT OF KINDNESS, THE HUMBLE APPLICANTS AS IN DUTY BOUND, SHALL EVER PRAY

……………………………………. Complainant

\_\_\_\_\_\_ Through, Advocate

**BEFORE THE DISTRICT CONSUMER**

**DISPUTE REDRESSAL FORUM**

 AT ………………….

Complaint No:\_\_\_\_\_\_ of 20……..

………………………………………………………………………………………Complainant

Versus

……………………………………………………………………………………….Respondents

Affidavit in support of complaint Under Section 12 of the Consumer Protection Act 1986

I,\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, do hereby solemnly affirm and declare as under :

1. That the accompanying complaint has been prepared under my instructions.

2. That the contents of paras 1 to \_\_\_\_\_ of the complaint are correct and true to the best of my knowledge.

3. That I further solemnly affirm and declare that this affidavit of mine is correct and true to the best of my knowledge and no part of it is false and nothing material has been concealed therefrom.

Affirmed at ………………………..this the \_\_\_\_\_\_.

Deponent

**CONSUMER ELECTRICITY COMPLAINT**

BEFORE THE DISTRICT CONSUMER DISPUTE REDRESSAL FORUM AT ………………….

Complaint No: \_\_\_\_\_\_ of 20….

…………………………….……………………………………………………………..Complainant

Versus

………………………………………………..……………………………………………Respondents

Complaint under Section 12 of The Consumer Protection Act 1986

Respectfully ……………..

1. That the complainant herein is practicing advocate at \_\_\_\_\_\_\_\_\_\_\_\_\_ since\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_. The profession of the complainant is non-commercial and the complainant is practicing to earn livelihood by way of self-employment besides providing the legal services to the needy litigants who ever comes to the complainant with their grievances.

2. That the complainant has his office at \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ and has installed an electrical meter bearing No. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, and the account No. of the complainant given by the opposite parties is \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

3. That the opposite parties are charging from the complainant for the electrical consumption at the commercial rates @ Rs. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ per unit for the meter installed in the office premises of the complainant, whereas the opposite parties ought to have charged at the rate of non-commercial rates, ie; domestic rates from the complainant.

4. That the difference of excessive charges being made by the opposite parties for the period given herein under is tabulated hereunder for the kind convenience of this Hon'ble court:-

5. That even from the consumption pattern of the above electrical meter of the complainant it is amply evident that the complainant has been using the electricity like the domestic user and no machinery etc requiring high load and for that matter charging at the commercial rate is required to be charged of the complainant.

6. That the complainant has personally brought this fact to the notice of the O.Ps and requested them not to charge at the rate of Commercial connection from the complainant. But the O.Ps are reluctant to accept this request of the complainant.

**GROUNDS**

7. That the above being the background of the case, the complainant is entitled to maintain and file the present complaint before this Hon'ble Forum on the following grounds amongst others, each one of which is without prejudice to others, and seeks the indulgence of this Hon'ble Forum to issue directions or orders to the opposite parties deemed appropriate :-

(a) That such an act and omission on the part of the opposite parties amounts to Deficiency in Service, Restrictive Trade Practice and Unfair Trade Practice under the purview of the Consumers Protection Act.

(b) That it is settled principle of law that the office of an advocate is non-commercial and it has no nexus even if it is situated in commercial area. \_\_\_\_\_\_\_

(c) That the complainant has suffered lot of avoidable mental agonies, physical harassment and financial loss, irreparable loss and injury at the hands of the opposite parties for which the complainant deserves to be amply and suitably compensated in terms of money in the interest of justice.

(d) That the opposite parties deserves to be saddled with heavy and extra-ordinary costs so that the opposite parties can be deterred from adopting such mal-practice in future.

(e) That the complainant herein deserves to be amply compensated in terms of money for the inconvenience, traveling expenses, for mental agonies, damages, delayed service/no service, interest, and loss suffered due to negligence and dereliction of duties by the opposite parties.

(f) That the impugned act on the part of the opposite parties is against the well-settled principles of law laid down by the Hon'ble Apex Court, High Courts, National Commission and State Commissions in catena of cases.

4. That the complaint is within the period of limitation.

5. That this Hon'ble Forum has a jurisdiction to entertain and to try the complaint as the headquarters of both the complainants and the opposite parties are with in the jurisdiction of this Hon'ble Forum.

6. It is, therefore, prayed that this Hon'ble Forum may be pleased to pass the following orders, directions and grant the following reliefs in favour of The complainants in the interest of justice :-

(a) Direct the opposite parties to refund the excessive charges levied from the complainant along with interest @ 24% from the date of payment till realisation;

(b) Saddle the opposite parties with special and extra-ordinary costs as deemed fit so as to deter them from adopting such malpractice in future;

(c) Award a compensation of Rs 10,000/- to the complainant on account of mental agony, physical harassment, and financial loss;

(d) Allow the cost of this complaint;

(e) Pass such other orders in favour of the complaints as deemed fit and proper in the facts and circumstances of the case.

AND FOR THIS ACT OF KINDNESS, THE HUMBLE APPLICANTS AS IN DUTY BOUND, SHALL EVER PRAY

………………………………… Complainant

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Through, Advocate

**BEFORE THE DISTRICT CONSUMER DISPUTE REDRESSAL FORUM AT ………………………..**

Complaint No: \_\_\_\_\_\_ of 20……

………………………………………………………………………………………………..Complainant

Versus

……………………………………….……………………………………………………… Respondents

Affidavit in support of complaint Under Section 12 of the Consumer Protection Act 1986

I,\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, do hereby solemnly affirm and declare as under :

1. That the accompanying complaint has been prepared under my instructions.

2. That the contents of paras 1 to \_\_\_\_\_ of the complaint are correct and true to the best of my knowledge.

3. That I further solemnly affirm and declare that this affidavit of mine is correct and true to the best of my knowledge and no part of it is false and nothing material has been concealed therefrom.

Affirmed at …………………\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_…….. this the \_\_\_\_\_\_.

Deponent

**CONSUMER EVIDENCE ON AFFIDAVIT**

BEFORE THE HON'BLE TN STATE CONSUMER REDRESSAL COMMISSION AT COIMBATORE

Complaint No. : \_\_\_\_\_\_ /20………..

………….……………………………………………………………………………………..Complainant

Versus

…………………..………………………………………………………………………………Respondents

Evidence by the complainant by way of Affidavit in Support of HIS complaint

I, \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, aged \_\_\_\_\_\_\_\_\_ years, presently Administrator,…. \_\_\_\_\_\_, do hereby solemnly affirm and declare as under:-

1. That I have filed documents with the original complaint which may kindly be read as evidence. The contents of the Original Complaint may kindly also be read as part of evidence in the above complaint.

2. That I further solemnly affirm and declare that the contents of this affidavit of mine are correct and true, no part of it is false and nothing material has been concealed therein.

Affirmed here at Coimbatore this the \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**CONSUMER EXECUTION 2**

BEFORE THE HON'BLE DISTRICT CONSUMER REDRESSAL FORUM AT …………………..

Application No : \_\_\_\_\_\_ of 20…………….in Complaint No : \_\_\_\_\_\_\_

………………………………………………………………………………..Applicant/Complainant

Versus

…………………………………………………………………………………Respondents/Non-applicants

Application Under Section 25 and 27 of the Consumer Protection Act 1986

Respectfully ………………-

1. That the applicant hereinabove has filed a complaint No. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, which your honour were pleased to decide on \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ [Annexure C-1] with the following directions to the respondents :-
2. "As a result of the above, we accordingly order to the OPs to refund the amount as mentioned in para 3 (column 4) of the order with interest at the rate of 12% per annum with effect from the date as shown in column 5 (para 3) of the order supra till the final payment is made. The litigation cost is assessed at Rs. 500/- each. These payments are made by the OPs finance company within a period of sixty days from the date of receipt of copy of this order. A copy of this order be placed on each consolidated file. The file after due completion and after supplying the copy of this order to the parties free of costs, be consigned to record room."
3. 2. That it is apparent from the above orders passed by this Hon'ble Forum that the order was comprehensive, unambiguous and clear in directing the respondents to comply with the same within \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ days.
4. . That the said orders of this Hon'ble Forum were duly served on the respondents by the complainant and the complainant asked the contemnors to make the payment on various occasions thereafter. The contemnors have straightaway refused to make the payment stating that they will make payments of only those persons who have not filed cases in the court. \_\_\_\_\_ legally the service of the above orders is complete on the respondents.
 That despite the orders of this Hon'ble forum having duly been served on and brought to the notice of the respondents, the respondents have not complied with the same within the specified period.
5. . That the respondents have thus conducted themselves in the most reprehensible manner showing scant regard to the orders of this Hon'ble Forum which conduct on their part is palpably, manifestly and gravely contumacious and makes the contemnors/respondents liable to be dealt with in accordance with the law and punished severely for willfully, deliberately and intentionally flouting, defying and disobeying the authority of this Hon'ble forum.
6. . That it is apparent from the material placed on record that no iota of doubt is left regarding the contemnors having scant regard and utter disregard to the sacrosanct orders of this Hon'ble forum, and the contemnors are prima facie guilty of the contempt of the court for having deliberately and willfully disobeyed the orders of this Hon'ble forum and they deserve to be dealt with and punished severely in accordance with the law as by their such unbecoming act they have tended to lower the authority of this Hon'ble forum and tended to interfere with the due process of the judicial proceedings and administration of justice as their this conduct may make execution of order infructuous. Their such conduct is manifest of their malafide intentions throughout.

7. That the interest of justice demands that the contemnors/respondents are dealt with and punished severely in accordance with the law for their willful, deliberate and intentional disobedience of the orders of this Hon'ble forum. Otherwise, if the contemnors are let go Scott free the litigant will lose their confidence and faith in the judicial proceedings.
7. t is, therefore, most respectfully prayed that this Hon'ble forum may be pleased to grant the following reliefs/pass the following orders :-
8. (a) That the contemnors/respondents be severely dealt with and punished in accordance with the law for having willfully, deliberately and intentionally not complied with the orders of this Hon'ble forum, thereby lowering the dignity of this Hon'ble forum;
(b) The execution proceedings be initiated for execution of the above orders of this Hon'ble forum;
(c) The respondents/contemnors be burdened with extra heavy costs;
(d) Such other orders may also be passed in favour of the complainant as deemed fit and proper by this Hon'ble forum in the facts and circumstances of the case.

AND FOR THIS ACT OF KINDNESS, THE HUMBLE APPLICANT AS IN DUTY BOUND, SHALL EVER PRAY

……………………………….. Applicant

\_\_\_\_\_\_ Through, Advocate

**BEFORE THE HON'BLE DISTRICT CONSUMER REDRESSAL FORUM AT ……………………….**

Application No : \_\_\_\_\_\_ 20……… in Complaint No :\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_…………………………………………………….Applicant/Complainant

Versus

…………………..……………………………………………………Respondents/Non-applicants

Affidavit in support of Application under Section 25 and 27 of the Consumer Protection Act

I…………………………, do hereby solemnly affirm and declare as under :-

1. That the accompanying application has been prepared under my instructions.

2. That the contents of paras 1 to 8 of the accompanying application are true and correct to the best of my knowledge.

3. That I further solemnly affirm and declare that this affidavit of mine is correct and true, no part of it is false and nothing material has been concealed therein.

Affirmed at …………….. this the \_\_\_\_\_\_.

Deponent

**CONSUMER EXECUTION**

BEFORE THE HON'BLE DISTRICT CONSUMER REDRESSAL FORUM AT ……\_\_\_\_\_\_\_\_\_\_\_…

App No \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_:\_\_\_\_\_\_ of 20……\_\_\_\_\_\_\_\_\_……in Complaint No :\_\_\_\_\_\_ of 20…………

……………………………………………………………………….Applicant/Complainant

 Versus

…………….…………………………………………………………….Respondents/Non-applicants

Application Under Section 25 and 27 of the Consumer Protection Act 1986

Respectfully ……………………..-

1. That the applicant hereinabove has filed a complaint No. \_\_\_\_\_\_\_\_\_\_, which your honor were pleased to decide on \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ [Annexure C-1] with the following directions to the respondents :-

2. That it is apparent from the above orders passed by this Hon'ble Forum that the order was comprehensive, unambiguous and clear in directing the respondents to comply with the same within \_\_\_\_\_\_\_\_\_\_ days.

3. That the said orders of this Hon'ble Forum were duly served on the respondents. \_\_\_\_\_\_\_\_ Legally the service of the above orders is complete on the respondents.

4. That despite the orders of this Hon'ble forum having duly been served on and brought to the notice of the respondents, the respondents have not complied with the same within the specified period.

5. That the respondents have thus conducted themselves in the most reprehensible manner showing scant regard to the orders of this Hon'ble Forum which conduct on their part is palpably, manifestly and gravely contumacious and makes the contemnors /respondents liable to be dealt with in accordance with the law and punished severely for willfully, deliberately and intentionally flouting, defying and disobeying the authority of this Hon'ble forum.

6. That it is apparent from the material placed on record that no iota of doubt is left regarding the contemnors having scant regard and utter disregard to the sacrosanct orders of this Hon'ble forum, and the contemnors are prima facie guilty of the contempt of the court for having deliberately and willfully disobeyed the orders of this Hon'ble forum and they deserve to be dealt with and punished severely in accordance with the law as by their such unbecoming act they have tended to lower the authority of this Hon'ble forum and tended to interfere with the due process of the judicial proceedings and administration of justice as their this conduct may make execution of order infructuous. Their such conduct is manifest of their malafide intentions throughout.

7. That the interest of justice demands that the contemnors/respondents are dealt with and punished severely in accordance with the law for their willful, deliberate and intentional disobedience of the orders of this Hon'ble forum. Otherwise, if the contemnors are let go Scott free the litigant will lose their confidence and faith in the judicial proceedings.

8. It is, therefore, most respectfully prayed that this Hon'ble forum may be pleased to grant the following reliefs/pass the following orders :-

(a) That the contemnors/respondents be severely dealt with and punished in accordance with the law for having willfully, deliberately and intentionally not complied with the orders of this Hon'ble forum, thereby lowering the dignity of this Hon'ble forum;

b) The execution proceedings be initiated for execution of the above orders of this Hon'ble forum;

(c) The respondents/contemnors be burdened with extra heavy costs;

(d) Such other orders may also be passed in favour of the complainant as deemed fit and proper by this Hon'ble forum in the facts and circumstances of the case.

AND FOR THIS ACT OF KINDNESS, THE HUMBLE APPLICANT AS IN DUTY BOUND, SHALL EVER PRAY

……………………….Applicant

\_\_\_\_\_\_ Through, Advocate

**BEFORE THE HON'BLE DISTRICT CONSUMER REDRESSAL FORUM AT ………………………**

App No :\_\_\_\_\_\_ of 20……. in Complaint No :\_\_\_\_\_\_ of 20………..

…………………………………………………………Applicant/Complainant

Versus

………..………………………………………………Respondents/Non-applicants

Affidavit in support of Application under Section 25 and 27 of the Consumer Protection Act

I, \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, do hereby solemnly affirm and declare as under :-

1. That the accompanying application has been prepared under my instructions.

2. That the contents of paras 1 to \_\_\_\_\_\_ of the accompanying application are true and correct to the best of my knowledge.

3. That I further solemnly affirm and declare that this affidavit of mine is correct and true, no part of it is false and nothing material has been concealed therein.

Affirmed at ………………………… this the \_\_\_\_\_\_ .

Deponent

**CONSUMER FOREST COMPLAINT**

BEFORE THE DISTRICT CONSUMER DISPUTE REDRESSAL FORUM AT ………………….

Complaint No:\_\_\_\_\_\_ of 20………

……………………………………………………….…………………………………………………………Complainant

Versus

……………………………………………………………………………………………………………………Respondents

Complaint Under Sec 12 of the Consumer Protection Act 1986

Respectfully …………………..

1. That the complainant hereinabove has deposited money as under with the Opposite Party:-

2. That when on \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ the complainant presented the receipt to the respondent, the respondent did not pay the maturity amount. Hence the present complaint.

3. That such an act and omission on the part of the opposite parties amounts to deficiency in service, restrictive trade practice and unfair trade practice under the purview of the Consumers Protection Act.

4. That the complaint is within the period of limitation.

5. That this Hon'ble Forum has a jurisdiction to entertain and to try the complaint as the headquarters of both the complainants and the opposite parties are with in the jurisdiction of this Hon'ble Forum.

6. It is, therefore, prayed that this Hon'ble Forum may be pleased to pass the following orders, directions and grant the following reliefs in favour of The complainants in the interest of justice :-

(a) Direct the opposite parties to pay the full maturity amount to the complainant along with interest @ 24% from the date of deposit;
(b) Saddle the opposite parties with special and extra-ordinary costs as deemed fit so as to deter them from adopting such malpractice in future;
(c) Allow the cost of this complaint;
(d) Pass such other orders in favour of the complaints as deemed fit and proper in the facts and circumstances of the case.

Coimbatore Applicant

\_\_\_\_\_\_ Through, Advocate

**BEFORE THE DISTRICT CONSUMER DISPUTE REDRESSAL FORUM AT ………………………………….**

Complaint No:\_\_\_\_\_\_ of 20…………..

………………………………………………………………………………………….Complainant

Versus

…………………………………………………………………………………………..Respondents

Affidavit in support of complaint under Sec 12 of the Consumer Protection Act 1986

I, \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, do hereby solemnly affirm and declare as under:-

1. That the accompanying complaint has been prepared under my instructions.

2. That the contents of paras 1 to \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ of the complaint are correct and true to the best of my knowledge.

3. That I further solemnly affirm and declare that this affidavit of mine is correct and true to the best of my knowledge and no part of it is false and nothing material has been concealed therefrom.

Affirmed at ……………………….. this the \_\_\_\_\_\_.

Deponent

**CONSUMER INSURANCE COMPLAINT**

BEFORE THE DISTRICT CONSUMER DISPUTE REDRESSAL FORUM AT ………………………

Complaint No.: \_\_\_\_\_\_ of 20………

………………………………………..………………………………………………….Complainant

Versus

……………………………………………..………………………………………………Respondents

 Complaint under Section 12 of The Consumer Protection Act 1986

Respectfully …………………..:

1. That the relevant facts and the facts leading to filing of present complaint are given in brief hereunder in chronological order for the convenience of your honour :-

Date \_\_\_\_\_\_

Events \_\_\_\_\_\_

2. \_\_

**GROUNDS**

3. That the above being the background of the case, the complainant is entitled to maintain and file the present complaint before this Hon'ble Forum on the following grounds amongst others, each one of which is without prejudice to others, and seeks the indulgence of this Hon'ble Forum to issue directions or orders to the opposite parties deemed appropriate :-

(a) That such an act and omission on the part of the opposite parties amounts to deficiency in service, restrictive trade practice and unfair trade practice under the purview of the Consumers Protection Act.

(b) That the respondents can not be permitted to reap the fruits of their own wrong, i.e.; the deceased has sent a cheque well within the stipulated period along with penal interest. The respondents have encashed the same. Now it does not lie in the mouth of the respondents to say that the encashment was made by them belatedly and therefore, this disentitles the complainant from getting the benefits of insurance.

(c) The respondents have taken hyper technical view of the matter. The plea taken by the respondents for not allowing the claim of the complainant is based on flimsy and unconscionable grounds, which is not sustainable in the eyes of law. The plea taken by the respondents is against the well settled principles of law laid down by the Hon'ble Apex court and various high courts. That the respondents can not be allowed to raise such a hyper technical objection for rejection of the claim of the complainant at this stage.

(d) That it was incumbent upon the respondents to pay the death claim immediately otherwise, the very purpose of getting insurance is frustrated. After all what does a man insure himself for - undoubtedly to save his family from immediate financial crisis in the event of his death which is unforeseen and not to run the business of the respondents.

(e) That the complainant being a public undertaking authority cannot adopt the measures and policy of unjust enrichment by repudiating and rejecting the legitimate, just and rightful claims of the complainant on hyper technical grounds.

(f) That the complainant has suffered lot of avoidable mental agonies, physical harassment and financial loss, irreparable loss and injury at the hands of the opposite parties for which the complainant deserves to be amply and suitably compensated in terms of money in the interest of justice.

(g) That the opposite parties deserves to be saddled with heavy and extra-ordinary costs so that the opposite parties can be deterred from adopting such mal-practice in future.
(h) That the complainant herein deserves to be amply compensated in terms of money for the inconvenience, traveling expenses, for mental agonies, damages, delayed service/no service, interest, and loss suffered due to negligence and dereliction of duties by the opposite parties.

4. That the complaint is within the period of limitation.

5. That this Hon'ble Forum has a jurisdiction to entertain and to try the complaint as the headquarters of both the complainants and the opposite parties are with in the jurisdiction of this Hon'ble Forum.

6. It is, therefore, prayed that this Hon'ble Forum may be pleased to pass the following orders, directions and grant the following reliefs in favour of The complainants in the interest of justice :-

(a) Direct the opposite parties to \_\_\_\_\_ along with interest @ 24% from the date of payment till realisation;

(b) Saddle the opposite parties with special and extra-ordinary costs as deemed fit so as to deter them from adopting such malpractice in future;

(c) Award a compensation of Rs 10,000/- to the complainant on account of mental agony, physical harassment, and financial loss;

(d) Allow the cost of this complaint;

(e) Pass such other orders in favour of the complaints as deemed fit and proper in the facts and circumstances of the case.

AND FOR THIS ACT OF KINDNESS, THE HUMBLE APPLICANTS AS IN DUTY BOUND, SHALL EVER PRAY

……………………………. Complainant

\_\_\_\_\_\_ Through, Advocate

**BEFORE THE DISTRICT CONSUMER DISPUTE REDRESSAL FORUM AT**

 ………………………………………

Complaint No:\_\_\_\_\_\_ of 20………..

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_Complainant

Versus

………………………………………………………………………………………………………………….Respondents

Affidavit in support of complaint Under Section 12 of the Consumer Protection Act 1986

I,\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, do hereby solemnly affirm and declare as under :

1. That the accompanying complaint has been prepared under my instructions.

2. That the contents of paras 1 to \_\_\_\_\_\_\_\_\_\_ of the complaint are correct and true to the best of my knowledge.

3. That I further solemnly affirm and declare that this affidavit of mine is correct and true to the best of my knowledge and no part of it is false and nothing material has been concealed therefrom.

Affirmed at………………. this the \_\_\_\_\_\_.

Deponent

**CONSUMER INTERIM ORDER**

BEFORE THE HON'BLE DISTRICT CONSUMER REDRESSAL FORUM AT ……………………………

App. No.:\_\_\_\_\_\_ of 20… in Complaint No.: \_\_\_\_\_\_

………………………………………………………………..……………………Complainant/Applicant

Versus

……………………………..……………………………………………………….Respondent/Non-Applicants

Application for interim order under Section 13 (3B) of Consumer Protection Act, 1986

Respectfully ………………………….

1. That the complainant has filed above complaint in this Hon'ble Forum hearing whereof will take some time.

2. That on perusal of the averments made in the complaint and the documents attached therewith it is amply evident that the complainant/applicant has prima facie a very good case in his favour and the complaint is likely to succeed. The Balance of Convenience is also in favour of the complainant/applicant.

3. That the interest of justice demands that during the tendency of the complaint \_\_\_\_

4. It is, therefore, prayed that this application may kindly be allowed and \_\_\_\_\_\_ in the interest of justice. Such other orders may also be passed in favour of the complainant as deemed fit and proper by this Hon'ble court in the facts and circumstances of the case.

……………………. Complainant/Applicant

\_\_\_\_\_\_\_\_\_\_\_\_\_ Through, Advocate

**BEFORE THE DISTRICT CONSUMER DISPUTE REDRESSAL FORUM AT**

 …………………….

App No.:\_\_\_\_\_\_ of 20….. Complaint No: \_\_\_\_\_\_

…………………………………………………………………………….…..Complainant/Applicant

Versus

………………………………..………………………………………………….Respondents

Affidavit in support of Application for restoration

I, ……………………………………………, do hereby solemnly affirm and declare as under :

1. That accompanying application has been prepared under my instructions.

2. That the contents of paras 1 to \_\_\_\_\_ of the complaint are correct and true to the best of my knowledge.

3. That I further solemnly affirm and declare that this affidavit of mine is correct and true to the best of my knowledge and no part of it is false and nothing material has been concealed therefrom.

Affirmed at ………………………… this the \_\_\_\_\_\_.

Deponent

**CONSUMER RELEASE OF DEPOSIT**

BEFORE THE HON'BLE TN STATE CONSUMER REDRESSAL COMMISSION AT ………………..

Application No.: \_\_\_\_\_\_ of 20…. in Revision No.\_\_\_\_\_\_

……………….………………………………………………………..Petitioner/Applicant

Versus

………………………………………………………………………….Respondents

Application for release of amount deposited by the OPs/Non-applicants

Respectfully …………………

1. That the above mentioned case is pending adjudication before this Hon'ble Commission.

2. That the OPs/petitioner has deposited a sum of Rs. ………….……… in the registry of this Hon'ble Commission from the proceeds of sale.

3. That the Ld. District Forum has passed orders for payment of Rs. ……………………, damages Rs. \_\_\_\_\_, and cost amounting to Rs. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ in favour of the applicant.

4. It is, therefore, most respectfully prayed that this application may be allowed in the interest of justice and an amount of Rs. \_\_\_\_\_ may kindly be released in favour of the applicant through his counsel. Such other orders be also passed as deemed fit and proper in the facts and circumstances of the case.

……………………………. Petitioner

\_\_\_\_\_\_ Through, Advocate

**BEFORE THE HON'BLE TN STATE CONSUMER REDRESSAL COMMISSION AT …………………………..**

Application No.:\_\_\_\_\_\_ of 20…………. in Revision No.: \_\_\_\_\_\_

……………………………………………………..Petitioner/Applicant

 Versus

…………………………………………………………Respondents

Affidavit in support of the application

I, \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, do hereby solemnly affirm and declare as under :

1. That the accompanying application has been prepared under my instructions.

2. That the contents of paras 1 to \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ of the application are correct and true to the best of my knowledge.

3. That I further solemnly affirm and declare that this affidavit of mine is correct and true to the best of my knowledge and no part of it is false and nothing material has been concealed therefrom.

Affirmed at ……………………… this the \_\_\_\_\_\_

Deponent

**CONSUMER RESPONDENT ARREST**

BEFORE THE HON'BLE DISTRICT CONSUMER DISPUTE REDRESSAL FORUM AT ………………….

App No :\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ of 20…………………… in Complaint No: \_\_\_\_\_\_\_

Applicants/Complainants

Versus

Respondents/Non-Applicants

Application under Section 151, Order 38 Rule 1 and 2 of CPC read with Section 13 [4] [I] of The Consumer Protection Act, 1986 for \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ arrest of the opposite parties Nos 1 and 2 before judgment

Respectfully ……………….:

1. That the complainants/applicants have filed the above complaint in this Hon'ble Forum, hearing whereof will take some time.

2. That when the complaint came up before this Hon'ble Forum on \_\_\_\_\_\_\_\_\_\_\_, this Hon'ble Forum was pleased to issue notices to the respondents.

3. That \_\_\_\_\_\_\_

4. That seeing the conduct of the respondents Nos. \_\_\_\_\_\_\_\_\_\_\_\_\_, the complainants/applicants have reasonable apprehensions that the respondent No. \_\_\_\_\_\_\_\_\_\_\_\_\_\_ are doing so with intent to delay the complainant and to avoid the process of this Hon'ble Court and obstruct and delay the administration of justice, process of this Hon'ble Forum and execution of order that may be passed by this Hon'ble Forum. It is further submitted that the respondent Nos.\_\_\_\_\_\_\_\_ \_\_\_\_ have wound up their business at \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_Coimbatore and are likely wound up their business at Mumbai and defrauded their customers of their hard earned money to the tune of crores of rupees. The respondent Nos. \_\_\_\_\_\_\_\_\_\_\_\_ are now about to abscond or leave the local limits of the jurisdiction of this Hon'ble Forum and have already disposed of and removed from the local limits of the jurisdiction of this Forum their property. The circumstances are affording reasonable probability that the respondents are about to leave India as there will be multiplicity of litigation against them as they have started their business solely with a view to defraud the customers.

5. That interest of justice therefore, demands that this Hon'ble Forum may be pleased to issue a warrant to arrest the respondent Nos. \_\_\_\_\_\_\_\_\_\_\_\_ and bring them before the Forum to show cause why they should not furnish security for their appearance for enforcing their attendance.

6. It is, therefore, most respectfully prayed that this application may be allowed and during the tendency of this complaint, the warrant for arrest of respondent No. \_\_\_\_\_\_\_\_\_\_\_\_\_ be issued and security obtained from them in accordance with law. This Hon'ble Forum may also be pleased to take note of the contempt committed by the respondents Nos. \_\_\_\_\_\_\_\_\_\_\_\_. Such other orders be also passed in favour of the complainants as deemed fit and proper by this Hon'ble Court in the facts and circumstances of the case.

AND FOR THIS ACT OF KINDNESS, THE HUMBLE APPLICANT AS IN DUTY BOUND, SHALL EVER PRAY

……………………………………. Applicants/Complainants

\_\_\_\_\_\_\_ Through, Advocate

**BEFORE THE HON'BLE DISTRICT CONSUMER DISPUTE REDRESSAL FORUM ………………….**

App No :\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ of 20…………………..In Complaint No :\_\_\_\_\_\_

……………………………………………………………..Applicant/Complainant

 Versus

……………………..………………………………………Respondents/Non-applicants

Affidavit in support of Application under Section 151, Order 38 Rule 1 and 2 of CPC read with Section 13 [4] [I] of The Consumer Protection Act, 1986

I, \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, do hereby solemnly affirm and declare as under :-

1. That the accompanying application has been prepared under my instructions

2. That the contents of paras 1 to\_\_\_\_\_\_ \_\_\_\_ of the accompanying application are correct and true to the best of my knowledge.

3. That I further solemnly affirm and declare that this affidavit of mine is correct and true, no part of it is false and nothing material has been concealed therein.

Affirmed at ……………………… this the \_\_\_\_\_\_.

Deponent

**CONSUMER REVISION**

BEFORE THE HON'BLE TN STATE CONSUMER REDRESSAL COMMISSION AT …………………..

Revision No.:\_\_\_\_\_\_ of 20…….

………………………………………………………………………………………………….Petitioner

Versus

……………………………………..……………………………………………………………Respondents

Revision Petition under Section 17 (b) of the Consumer Protection Act, 1986

against the order dated ............................ of Ld. District Consumer Redressal Forum …………….. in case titled as \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

……………………………… Petitioner

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Through, Advocate

GROUNDS OF REVISION:

Respectfully …………………:

1. That the relevant facts and the facts leading to filing of present Revision are given in brief hereunder in chronological order for the convenience of your Lordships:-

Date\_\_\_\_\_\_

Events \_\_\_\_\_\_

GROUNDS

2. That the humble Petitioner is invoking the jurisdiction of this Hon'ble Commission and seeking indulgence on the following grounds amongst others each one of which is without prejudice to and independent of other :-

(a) That the learned Forum below has acted with serious illegality in the exercise of jurisdiction vested in it by law. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
(b) That there has been mis-appreciation of evidence and mis-application of the provisions of law by the Ld. Forum below. \_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
(c) That a breach of the rules of natural justice occurred in connection with the making of the decision. \_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
(d) That procedures that were required to be observed in connection with the making of the decision were not observed and there has been material irregularity in exercise of the powers vested with the Ld. forum below. \_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
(e) That the decision was not authorized by the enactment in pursuance of which it was purported to be made. \_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
(f) That the making of decision was on improper exercise of the powers conferred by the enactment in pursuance of which it was purported to be made. \_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
(g) That decision incurred an error of law whether or not the error appear on the record of decision. \_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
(h) That there was no evidence or other material to justify the making of the decision. \_\_\_\_\_ \_\_\_\_\_\_\_\_\_
(i) That the decision was otherwise contrary to law \_\_\_\_\_\_\_\_\_\_\_\_\_\_ taking an irrelevant consideration into account in the exercise of power. \_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
(j) That the Ld. forum below has failed to take relevant consideration into account in the exercise of a power.\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_
(k) That the Ld. Forum below while making the decision was required by law to reach that decision only if a particular matter \_\_\_\_\_ was established and there was no evidence or other material [including facts of which the Ld. Forum below was entitled to take notice] from which the Ld. Forum below could reasonably be satisfied that the matter was established and the decision was based on the existence of particular fact and that fact did not exist.
(l) That the Ld. Forum below has not exercised judicious discretion vested in it in accordance with law in passing the impugned order. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
(m) That the provisions of law have been mis-construed. More particularly \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
(n) That the Ld. Forum below has failed to appreciate the evidence on record and has drawn wrong inferences from the facts proved on record which has vitiated findings. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
(o) That the Ld. Forum below has failed to appreciate the well-settled principles of law laid down by the Hon'ble Apex Court and this Hon'ble Commission in catena of cases.

3. That no similar Revision of Revision has been filed by the Petitioner on the similar grounds.

4. It is, therefore, most respectfully prayed that this Hon'ble Commission may be pleased to send for the records of the case and after examining the legality of the proceedings, may be pleased to set aside the orders of the Ld. Forum below dated \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ passed in case titled as \_\_\_\_\_\_\_\_\_\_. Such other orders may also please be passed as deemed fit and proper in the facts and circumstances of the case in favour of the Petitioner.

……………………………….. Petitioner
\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Through, Advocate

**Before the Hon'ble ………………….. State Consumer Redressal Commission at …………………………….**

Application No.:\_\_\_\_\_\_ of 20………. in Revision No.\_\_\_\_\_\_ of 20…..

………………………………………………………………………………………Petitioner/Applicant

Versus

……………………………………………………………………………………….Respondents

Application for stay of the impugned order of the Ld. District Consumer Redressal Consumer Forum dated \_\_\_\_\_\_\_\_\_\_\_\_\_ case titled as \_\_\_\_\_\_\_\_\_\_\_

Respectfully sheweth:

1. That the applicants have filed the above mentioned Revision in this Hon'ble court hearing whereof will take sometime.

2. That it is apparent from the grounds of the Revision and the documents attached therewith that the Petitioner/applicant has prima facie very good case in his favour and the Revision is bound to succeed.

3. That the interest of justice demands that during the tendency of the Revision operation of the impugned judgment of the Ld. District Redresal Forum below is stayed. Otherwise the applicant will suffer irreparable loss and injury which cannot be compensated in terms of money.

4. It is, therefore, most respectfully prayed that this application may be allowed in the interest of justice and during the tendency of this Revision the operation of the impugned order may be stayed in the interest of justice. Such other orders be also passed as deemed fit and proper in the facts and circumstances of the case.

………………………….. Petitioner

\_\_\_\_\_\_ Through, Advocate

**Before the Hon'ble ………….. State Consumer Redressal Commission at ………………………….**

Application No.:\_\_\_\_\_\_ of 20…………… in Revision No.:\_\_\_\_\_\_ of 20….

………………..…………………………………………………………………………….Petitioner/Applicant

Versus

………………….…………………………………………………………………………….Respondents

Affidavit in support of the application for stay

I,………………………………………………………….., do hereby solemnly affirm and declare as under :

1. That the accompanying application has been prepared under my instructions.

2. That the contents of paras 1 to 4 of the application are correct and true to the best of my knowledge.

3. That I further solemnly affirm and declare that this affidavit of mine is correct and true to the best of my knowledge and no part of it is false and nothing material has been concealed therefrom.

Affirmed at …………………. this the \_\_\_\_\_\_

Deponent

**CONSUMER SETTING ASIDE INTERIM ORDER**

BEFORE THE HON'BLE TN STATE CONSUMER REDRESSAL COMMISSION AT ……………

App. No.:\_\_\_\_\_\_\_\_\_\_\_\_./…………………….…. in Complaint No.: \_\_\_\_\_\_

………………………………………………………..Complainant/Applicant

 Versus

……….…………………………………………………Respondent/Non-Applicants

Application for setting aside the ex-parte orders

Respectfully Sheweth:

1. That the above noted Complaint was fixed for \_\_\_\_\_ for \_\_\_\_\_.

2. That the OP/applicant could not put appearance before this Hon'ble forum on \_\_\_\_\_ due to the reqasons that \_\_\_\_\_

3. That the absence of the OP/Applicant on the date of hearing was neither intentional nor willful, but for the good and sufficient reasons hereinabove stated. Interest of justice therefore, demands that the ex-parte order passed by this Hon'ble Forum on \_\_ are set-aside and the OP/applicant is permitted to \_\_ so that the substantial dispute involved in the complaint can be adjudicated upon on its merit by this Hon'ble court. No harm or prejudice will be caused to the complainant if the ex-parte orders dated \_\_ are set aside by this Hon'ble forum.

4. It is, therefore, most respectfully prayed that this application may kindly be allowed and the ex-parte order \_\_\_\_\_ passed by this Hon'ble forum may kindly be set aside and the OP/applicant may kindly be allowed to \_\_\_\_ in the interest of justice. Such other orders may kindly also be passed as deemed fit and proper in the facts and circumstances of case.

……………………………………….. Complainant/Applicant

\_\_\_\_\_\_ Through, Advocate

**BEFORE THE DISTRICT CONSUMER DISPUTE REDRESSAL FORUM AT………………………………………………**

App No.:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_/\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_. Complaint No: \_\_\_\_\_\_\_

………………………………………………………………………………………….Complainant/

 Versus

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.Respondents

Affidavit in support of Application for restoration

I,\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, do hereby solemnly affirm and declare as under :

1. That accompanying application has been prepared under my instructions.

2. That the contents of paras 1 to \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ of the complaint are correct and true to the best of my knowledge.

3. That I further solemnly affirm and declare that this affidavit of mine is correct and true to the best of my knowledge and no part of it is false and nothing material has been concealed therefrom.

Affirmed at…………………………..this the \_\_\_\_\_\_ .

Deponent

 **CONSUMER STANDARD COMPLAINT 2**

BEFORE THE HON'BLE CONSUMER DISPUTES REDRESSAL FORUM AT……………………………………………..

Complaint No: \_\_\_\_\_ …/……

…………………………………………………………………………….Complainant

Versus

…………………………………………………………………………….Respondents

Application Under Section 12 of the Consumer protection Act, 1986.

Respectfully Sheweth:

1. That the complainant is a subscriber of phone No: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ which is installed since \_\_\_\_\_.

2. That the complainant is in the business of \_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

3. That the complainant has been receiving normal phon bills not exceeding Rs. \_\_\_\_\_\_\_\_\_\_\_\_ /- and the complainant has been making the payments thereof within the ……\_\_\_\_\_\_\_………….period.

4. That surprisingly the complainant has received a bill dated \_\_\_\_\_ for the period ending \_\_\_\_\_ amounting to exorbitant Rs. \_\_\_\_\_ which was highly inflated and excessive bill against which the complainant made oral request and written objections with the respondents which request of the complainant has not so far been redressed by the respondents.

5. That the complainant has filed an application with the respondent for issuing Computerized sheet of his Telephone to assess the exact use of the telephone and its meter readings but the same has not been issued to the complainant till date and the complainant has been harassed by the respondents unnecessarily and has been asked to visit their office at……………\_\_\_\_\_\_\_\_\_\_\_\_……… on many occasions.

6. That it is pertinent to mention that the telephone is rarely used by the complainant and he could hardly consumes \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_……... Moreover, the telephone remains out of order and for which the complainant had made several oral as well as written complainants.

7. That such an act on the part of the respondent amounts to deficiency of service, restrictive trade practice and unfair trade practice within the purview of the Consumers Protection Acts and due to the deficiency in service of the respondents the complainant has suffered mental harassment and agony and his reputation has been lowered down in the society for which the respondents are liable to pay a sum of Rs. ………………………………..- as damages for the mental agony and harassment etc.

8. That the excessive and inflated billing for the above said period was due to either mechanical defect in the Exchange or some external fault as well as misuse of the number of the complainant by the telephone staff thereby raising the normal bill of the complainant. It appears that the lines and metering system of the respondents are not proper. Current number of calls are not recorded properly either on account of mechanical failure or some defect in the line or the bills of the complainant are very excessive and inflated one which is clear from the reading recorded on the bills for which the respondents are responsible.

9. That the complaint is within the period of limitation.

10. That since the complainant is consumer under the respondents here at ……………..…………..and since the cause of action arose to the complainant within the jurisdiction to try this complaint.

11. It is, therefore, prayed that this Hon'ble Forum may be pleased to pass the following orders, directions and grant the following reliefs in favour of The complainants in the interest of justice :-

(a) Direct the opposite parties to repay the excessive payments amounting to Rs. \_\_\_\_\_ charged by them from the complainant along with interest @ ….% p.a. till the date of payment

(b) Saddle the opposite parties with special and extra-ordinary costs as deemed fit so as to deter them from adopting such malpractice in future;

(c) Award a compensation of Rs. ……………………….………./- to the complainant on account of mental agony, physical harassment, and financial loss, caused due to dereliction of duties on the part of the respondents;

(d) Allow the cost of this complaint;

(e) Pass such other orders in favour of the complaints as deemed fit and proper in the facts and circumstances of the case.

AND FOR THIS ACT OF KINDNESS, THE HUMBLE APPLICANTS AS IN DUTY BOUND, SHALL EVER PRAY

.

………………………… Complainant

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Through, Advocate

**BEFORE THE DISTRICT CONSUMER DISPUTE REDRESSAL FORUM AT ……………………………………………**

Complaint No:\_\_\_\_\_ ………../…………..

………………………………………………………………………..…………………Complainant

Versus

…………….…………………………………………………………………………………Respondents

Affidavit in support of complaint Under Section 12 of the Consumer Protection Act 1986

I, \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, do hereby solemnly affirm and declare as under :

1. That the accompanying complaint has been prepared under my instructions.

2. That the contents of paras 1 to\_\_\_\_\_ \_\_\_\_\_ of the complaint are correct and true to the best of my knowledge.

3. That I further solemnly affirm and declare that this affidavit of mine is correct and true to the best of my knowledge and no part of it is false and nothing material has been concealed therefrom.

Affirmed at …………………………. this the \_\_\_\_\_.

Deponent

**CONSUMER STANDARD COMPLAINT**

BEFORE THE DISTRICT CONSUMER DISPUTE REDRESSAL FORUM AT ……………………….

Complaint No.: \_\_......................./……………..

…………………………………………………………………………………………….Complainant

 Versus

………………………………………………………………………………………………Respondents

Complaint under Section 12 of The Consumer Protection Act 1986

Respectfully Sheweth:

1. That the relevant facts and the facts leading to filing of present complaint are given in brief hereunder in chronological order for the convenience of your honor :-

Date\_\_\_\_\_\_

Events\_\_\_\_\_\_

(a)

\_\_\_\_\_\_\_

 **GROUNDS**

2. That the above being the background of the case, the complainant is entitled to maintain and file the present complaint before this Hon'ble Forum on the following grounds amongst others, each one of which is without prejudice to others, and seeks the indulgence of this Hon'ble Forum to issue directions or orders to the opposite parties deemed appropriate :-

(a) That such an act and omission on the part of the opposite parties amounts to deficiency in service, restrictive trade practice and unfair trade practice under the purview of the Consumers Protection Act.
(b) That the complainant has suffered lot of avoidable mental agonies, physical harassment and financial loss, irreparable loss and injury at the hands of the opposite parties for which the complainant deserves to be amply and suitably compensated in terms of money in the interest of justice.
(c) That the opposite parties deserves to be saddled with heavy and extra-ordinary costs so that the opposite parties can be deterred from adopting such mal-practice in future.
(d) That the complainant herein deserves to be amply compensated in terms of money for the inconvenience, traveling expenses, for mental agonies, damages, delayed service/no service, interest, and loss suffered due to negligence and dereliction of duties by the opposite parties.
3. That the complaint is within the period of limitation.

4. That this Hon'ble Forum has a jurisdiction to entertain and to try the complaint as the headquarters of both the complainants and the opposite parties are with in the jurisdiction of this Hon'ble Forum. It is submitted that the present complaint is being filed without prejudice to other rights or remedies available to the complaint.

5. It is, therefore, prayed that this Hon'ble Forum may be pleased to pass the following orders, directions and grant the following reliefs in favour of The complainants in the interest of justice :-
(a) Direct the opposite parties to \_\_\_\_\_ along with interest @ ..% from the date of payment till realisation;
(b) Saddle the opposite parties with special and extra-ordinary costs as deemed fit so as to deter them from adopting such malpractice in future;

(c) Award a compensation of Rs. \_\_\_\_\_ to the complainant on account of mental agony, physical harassment, and financial loss;

d) Allow the cost of this complaint;

(e) Pass such other orders in favour of the complaints as deemed fit and proper in the facts and circumstances of the case.

AND FOR THIS ACT OF KINDNESS, THE HUMBLE APPLICANTS AS IN DUTY BOUND, SHALL EVER PRAY

……………………….. Complainant

\_\_\_\_\_\_ Through, Advocate

**BEFORE THE DISTRICT CONSUMER DISPUTE REDRESSAL FORUM AT ……………………………..**

Complaint No;……………………………/…………….

……………………………………………………………………………………………..Complainant

 Versus

………………………………………………………………………………………………Respondents

Affidavit in support of complaint Under Section 12 of the Consumer Protection Act 1986

I, \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, do hereby solemnly affirm and declare as under:-

1. That the accompanying complaint has been prepared under my instructions.

2. That the contents of paras 1 to 5 of the complaint are correct and true to the best of my knowledge.

3. That I further solemnly affirm and declare that this affidavit of mine is correct and true to the best of my knowledge and no part of it is false and nothing material has been concealed therefrom.

Affirmed at …………………………. this the \_\_\_\_\_\_.

Deponent

Format of Affidavit for Consumer Case for Vehicle Insurance Claim

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BEFORE THE PRESIDENT DISTRICT CONSUMER DISPUTES REDRESSAL FORUM, \_\_\_\_\_, \_\_\_\_\_

Complaint No.\_\_\_\_\_ of \_\_\_\_\_ Under Consumer Protection Act

\_\_\_\_\_                                   …..Complainant
Versus
\_\_\_\_\_                                   …..Respondents

Complaint under section \_\_\_\_\_ of the consumer Protection Act, \_\_\_\_\_

EVIDENCE BY WAY OF AFFIDAVIT OF THE COMPLAINANT

I, \_\_\_\_\_ son of \_\_\_\_\_ resident \_\_\_\_\_ at present Resident of \_\_\_\_\_ do hereby solemnly affirm and declare as under:-

1-    That the deponent is the consumer of the respondent as defined under the consumer protection Act, \_\_\_\_\_.

2-    That the deponent is the registered owner of the vehicle \_\_\_\_\_ bearing its Registration No. \_\_\_\_\_ Engine No. \_\_\_\_\_, Chassis No. \_\_\_\_\_, Model \_\_\_\_\_. The said vehicle was get insured by the deponent with the respondent insurance company vide insurance policy No. \_\_\_\_\_ which was valid with effect from \_\_\_\_\_ to midnight of \_\_\_\_\_ covering all type of risks therein. As per the insurance policy issued by the respondent to the deponent , the said vehicle was get insured for the amount  of \_\_\_\_\_/- (\_\_\_\_\_) . A photocopy of the insurance policy and a photocopy of Registration Copy of \_\_\_\_\_ No. \_\_\_\_\_ are exhibited herewith as \_\_\_\_\_.

3-    That at the time of issuance of the above said insurance policy, the respondent had assured the deponent that the respondent would pass insurance claimed and make the payment of the claimed amount immediately, if the said vehicle will meet with accident or will be stolen at any point of time with  in the validity period of the said insurance policy .

4-    That in the mid night of \_\_\_\_\_ at about \_\_\_\_\_. The deponent parked his above said \_\_\_\_\_ in front of \_\_\_\_\_ in \_\_\_\_\_, but the said vehicle was stolen by someone in the night of \_\_\_\_\_. The deponent searched the said vehicle everywhere, but the where about of the said vehicle were not traced by the deponent. Hence the deponent got registered the FIR in the police station \_\_\_\_\_ bearing its FIR  No. \_\_\_\_\_, dated \_\_\_\_\_ U/S. \_\_\_\_\_IPC regarding the theft of the said \_\_\_\_\_ against unknown thief. The copy of the FIR is exhibited herewith as \_\_\_\_\_.

5-    That just after the steeling of the said vehicle of the deponent intimated the respondent and also submitted the FIR and all the relevant documents to the respondent regarding the steeling of the said vehicle.

6-    That then after the deponent approached the respondent and requested to make the payment of the insured amount by raising the insurance claim in the office of the respondent. In this regard the respondent had issued the claim no. \_\_\_\_\_ and the respondent demanded the copy of the untraced  report or final report from the deponent on \_\_\_\_\_.

7-    That upon the application of the deponent the Hon’ble court of \_\_\_\_\_, has declared the above-mentioned vehicle as untraced vide its order dated  \_\_\_\_\_. The copy of the order dated \_\_\_\_\_ is exhibited herewith as \_\_\_\_\_.

8-    That then after the deponent personally visited the office of the respondent and met with the respondent and again approaching for claim in writing and submitted the final report along with the copy of the untraced report, photocopy of insurance policy , copy of the FIR, NCR  Report, and copy of the R.C. of the said vehicle vide application dated \_\_\_\_\_.

9-    That the respondent being the insurer of the above mentioned vehicle of the deponent and the above said  vehicle has been stolen in the validity period of insurance policy, hence the respondent is liable and duty bound to pay the insurance claim as per the terms and conditions of the said policy to the deponent as soon as, but the respondent is trying to escape from their responsibility and liability to make the payment of the claimed amount to the deponent in arbitrary manner, hence the deponent  is legally entitled to recover the amount of insurance claim along with interest from the respondent as per the terms and conditions of the insurance policy .

10-    That the cause of action to file the present complaint accrued on each and every date when the deponent requested the respondent to make the payment of the insurance claimed amount and the cause of action finally accrued on \_\_\_\_\_ when the respondent has finally refused to make the payment of the insurance claimed amount to the deponent.

11-    That the relevant documents which are produced before this Hon’ble Forum may kindly be read in my evidence.

Verification:-

Deponent

Verified that the above contents of this affidavit are true and correct to the best of my knowledge and belief and nothing has been concealed therein
Verified at \_\_\_\_\_ on \_\_\_\_\_