**BEFORE THE DISTRICT CONSUMER DISPUTES REDRESSAL FORUM**

**(DISTRICT \_\_\_\_\_\_\_\_\_\_\_\_\_)**

**CONSUMER COMPLAINT NO. \_\_\_\_\_\_\_ OF 2017**

**IN THE MATTER OF:-**

D \_\_\_\_\_\_ S/o Shri \_\_\_\_\_\_\_\_ R/o \_\_\_\_\_\_\_\_

VERSUS

1. District Manager, Telephones

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_-

2. Sub-Divisional Officer Phones,

OPP. PARTY NO. 1

OPP. PARTY NO. 2

COMPLAINANT

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

MOST RESPECTFULLY SHOWETH:-

This complaint is present under Section 12 of the Consumer Protection Act, 1986 on the ground stated herein under:

1. That Complainat is a subscriber of telephone No. \_\_\_\_ prior to \_\_\_\_\_ number whereof was \_\_\_\_\_\_.

2. That his telephone went out of order on \_\_\_\_\_\_. Several complaints were lodged with the department concerned which did not yield any result.

3. That a written complaint was lodged by him in the office of the opposite party No. 1 on \_\_\_\_\_ and also on \_\_\_\_\_\_. Nothing happened. He then approached personally to the Sub- Divisional Officer Phones \_\_\_\_\_and filed a written complaint with him on \_\_\_\_\_. On \_\_\_\_ his telephone line was made operational.

4. That on \_\_\_\_\_\_\_\_, the communication system installed at the residence of the complainant was again found paralysed. The matter was again reported to the department.

Authorities did not take any action. He then lodged a written complaint in the office of the opposite party No. 2 on \_\_\_\_\_\_\_. It did not find any response from the opposite parties. Another written complaint was lodged in the office of the opposite party No. 2 on \_\_\_\_\_\_. It also remained unattended. Complainant then moved to the opposite party No. 1 and presented before him a written complaint on \_\_\_\_\_\_\_ whereafter the telephone service of the complainant was revived on the same day after continuous 24 days fault in the line.

5. That the complainant paid his telephone bill dated \_\_\_\_\_\_ amounting to Rs. \_\_\_\_\_ on \_\_\_\_\_ vide receipt No. \_\_\_\_ . On \_\_\_\_\_\_ he was asked by the Opposite Party to pay bill dated \_\_\_\_\_ by \_\_\_\_\_\_\_ failing which telephone connection was liable to be disconnected by 5 p.m. same day. The complainant never received bill dated \_\_\_\_\_\_\_\_ till date in original. He approached the opposite party for a duplicate bill dated \_\_\_\_\_ when he was told by him that another bill dated \_\_\_\_\_\_ be paid on the same day itself without which the payment of bill dated \_\_\_\_\_ would not be accepted. Request of the complainant to trace and produce receipt of payment of bill dated \_\_\_\_\_ was turned down by the opposite parties and the complainant was forced to pay both the bills on \_\_\_\_\_\_ although the bill dated \_\_\_\_\_ stood paid vide receipt No. \_\_\_\_\_ dated \_\_\_\_\_\_\_\_.

6. That bill dated \_\_\_\_\_\_ charged Rs. \_\_\_\_\_ on account of rent from \_\_\_\_\_ to \_\_\_\_. Bill dated \_\_\_\_\_\_ charged for rent from \_\_\_\_\_ to \_\_\_\_\_\_. Thus applicant has been charged rent for the month of July \_\_\_\_ twice.

7. That on account of dereliction of duty and negligence on part of the opposite parties No. 1 and 2 the complainant suffered loss and injury due to deprivation, harassment, mental agony and loss of professional practice and for which he is entitled to compensation and refund of excess amount charged by the department.

8. That the complainant sent a notice to each of the opposite parties by registered post asking them to pay him a sum of Rs. \_\_\_\_\_which now stands to Rs. \_\_\_\_\_ along with interest thereon till date of the actual payment to which none of them responded.

9. That in interest of justice the complainant should be paid by the department through the opposite parties as under :

(1)Compensation of Rs. \_\_\_\_ @ \_\_\_\_\_ per day for 69 days during which the telecommunication system remained paralysed, for the loss and injury caused to the complainant due to negligence and derelication of duly on the part of the opposite parties.

(2)Payment of Rs. \_\_\_\_\_\_ as stated in para 5 hereto along with interest @12% p.a. till the date of actual payment.

(3)Payment of Rs. \_\_\_\_\_\_ as refund of rental for 69 days as stated in paras 2,3 and 4 thereof.

(4)Payment of a sum of Rs. \_\_\_\_\_ being amount of rent for the month of July charged by the opposite parties twice as stated in Para. 6 hereto.

(5)Payment of a sum of Rs. \_\_\_\_\_ towards cost of notices including charges for stationary postage etc., given tyo the opposite parties.

10. That in support of the above averments and claims documents have been enclosed alongwith this complaint.

11. That the cause of action arose on \_\_\_\_\_\_ when the telephone of the complainant went out of the order and the system remained disputed for long 60 days merely due to the dereliction of duty and negligence of the opposite parties.

12. 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 upon this consumer dispute.

13. That there is a duty cast upon the District Manager Telephones, the opposite party No. 1 and the officials working under him to maintain trouble free service of the communication system installed at the premises of the complainant and to which they have miserable failed which has put the complainant to great deal of inconvenience, expense and mental agony.

14. That in the interest of justice the claims of compensation and refund should be allowed and also the interest as stated here before

**PRAYER**

It is therefore, most respectfully prayed that this petition be kindly allowed, an amount of Rs\_\_\_\_\_\_and interest wherever due be declared payable to the complainant by the

opposite parties and the Opposite parties be directed to pay the amount as aforesaid to the complainant within 30 days of the Hon‟ble Forum

**Complainant**

**Dated** \_\_\_\_\_\_\_\_\_\_\_\_\_-

Note : An affidavit in suport to be annexed

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