

Model Form 'B' - The complaint

BEFORE THE HON'BLE DISTRICT CONSUMER DISPUTES
REDRESSAL FORUM AT.....
OR
BEFORE THE HON'BLE STATE CONSUMER DISPUTES
REDRESSAL COMMISSION AT.....
OR
BEFORE THE HON'BLE NATIONAL CONSUMER DISPUTES REDRESSAL
COMMISSION AT NEW DELHI
IN RE: COMPLAINT NO.....OF 20.....IN THE MATTER OF
(FULL NAME) (DESCRIPTION) (COMPLETE ADDRESS)
.....complainant
VERSUS
(FULL NAME) (DESCRIPTION) (COMPLETE ADDRESS)
.....opposite party/parties
COMPLAINT UNDER SECTION 12/SECTION 17 SECTION 21 OF
THE CONSUMER PROTECTION ACT, 1986
RESPECTFULLY SHOWETH:

(1) INTRODUCTION

(In this opening paragraph the complainant should give his introduction as well as that of the opposite party/parties.

(2) TRANSACTION

(In this paragraph complainant should describe the transaction complained of i.e. particulars and details of goods/services availed; items of goods/kind and nature of service; date of purchase of goods/availing of service; amount paid as price/consideration, full or in part towards the goods/service; Photocopies of the bill/cash memo/voucher or receipt should be attached and properly marked as Annexure-A,B,C and so forth or 1,2,3 and so forth.)

(3) DEFECT/DEFICIENCY

(In this paragraph complainant should explain the grievance i.e. whether the loss or damage has been caused by some unfair trade practice or restrictive trade practice adopted by any trader or there is some defect in the goods or there has been deficiency in service or the trader has charged excessive price for the goods. One should elucidate the nature of unfair trade practice adopted by the trader i.e. relating to the quality of goods/services; sponsorship; warranty or guarantee for such period promised. The nature and extent of defects in goods should be explained and so should the deficiency in service. In case of excessive price one should specify the details of actual price fixed by or under any law for the time being in force or as set out on goods and their packing *vis-à-vis* the price charged by the trader. Complaint can also be filed against offer for sale of goods hazardous to life and safety when

used. You should narrate your grievance and rest assured it is being read / heard by compassionate and pragmatic judges. Photocopies of relevant documents must be attached.)

(4) RECTIFICATION

(In this paragraph complainant should highlight what attempts were made by him to set things right i.e. personal visits or negotiations; communication in writing if any; whether any legal notice was got

served and / or whether he has approached any other agency for redressal like M.R.T.P. Commission, Civil or Criminal Court of competent jurisdiction; the stage of its proceedings, its outcome, if any, along with copies (certified preferably) of such proceedings. The nature of response got from the trader when irregularities were brought to his notice, should also be disclosed here.)

(5) OTHER PROVISIONS

(In this paragraph reference may be made to any other law or rule or regulations of particular procedure which is applicable to the case and/or which has been violated by the trader and consumer's rights under the same. There are incidental statutory obligations, which traders must fulfil and in case of their failure to do so the case in *prima facie* made out and Forum would take cognizance).

(6) EVIDENCE

(In this paragraph complainant should give details of documents and/or witnesses he will rely upon to substantiate his case. The documents attached as Annexures as stated above may be incorporated in a proper list and a list of witnesses (if any) may be filed similarly). The annexures should be attested as "True Copy".

(7) JURISDICTION

(In this paragraph complainant should liquidate the claim in the complaint i.e. upto 20 lacs; 20 lacs to 1 crore; or above and set out the pecuniary jurisdiction of the Forum/ State Commission / National Commission, as the case may be. The territorial Jurisdiction should be highlighted to obviate any formal objection).

(8) LIMITATION

That the present complaint is being filed within the period prescribed under section 24A of the Act.

(9) RELIEF CLAIMED

(In this paragraph complainant should describe the nature of relief he wants to claim i.e. for removal of defects in goods or

deficiency in service; replacement with new goods; return of the price or charge etc. paid and / or compensation on account of financial loss or injury or detriment to his interest occasioned by negligence of the opposite party and elucidate how you have calculated the amount of compensation claimed.)

(10) PRAYER CLAUSE

It is, therefore, most respectfully prayed that this Hon'ble Forum/ Commission may kindly be pleased to.....

(Details of relief which complainant wants the Court to grant)

Place:.....

Dated:.....

Complainant
Through.....
(Advocate or Consumer Association Etc.)

Verification

I....., the complainant above named. Do hereby solemnly verify that the contents of my above complaint are true and correct to my knowledge, no part of it is false and nothing material has been concealed therein.

Verified this.....day of.....20.....at.....

Complainant

Note: Although it is not compulsory, complainant may filed an affidavit in support of the complaint which adds to the truth and veracity of allegations and gives credibility to the cause. It need not be on a Stamp paper but one should get it attested from an Oath Commissioner appointed by a High Court. The format is just as simple.