**Complaint Against Deficient Courier Service**

Before The Consumer Disputes Redressal Forum At \_\_\_\_\_\_\_

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

 ……Complainant.

VERSUS

……………..Opposite Party/Respondent

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

Respectfully Showeth:-

1. That the complainant on 19th June,2002 engaged the services of the opposite party/respondent who is engaged as Couriers and handed over a packet in there office at Shimla containing duly filled and executed admission forms by her daughter Miss \_\_\_\_\_\_\_\_ to be delivered to (Name)\_\_\_\_\_\_\_\_ r/o\_\_\_\_\_\_\_\_. The said admission forms were required to be submitted by 2 PM on 24-6-2002 in the college at Chandigarh for seeking admission in the Hostel as B.A or B.Com student. The receipt issued by the respondent is Annexure-C/1.

2. That the respondent charged a sum of Rs.45/- as urgent charges from the complainant and assured the delivery of the packet with in 48 hours on the above given address. On inquiry made by the complainant when the packet did not reach by 22nd June, 2001, 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 Chandigarh and submit another copies of application forms at I PM on 24-6-2001.

4. That on inquiry it transpired that the respondent/opposite party delivered the packet to Mr. (Name) \_\_\_\_\_\_ at 4 PM on 25-6-2001 after a lapse of 6 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 Chandigarh from Shimla by spending good expenses to complete the required formalities for getting her daughter admitted in the college hostel at Chandigarh.

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 6-7-2002 has also been issued to the respondent under Registered cover demanding compensation of Rs. 5000/- 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. 5000/- 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 Chandigarh 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. 5,000 to the complainant on account of delay, inconvenience, mental agony harassment

2. Direct the respondent to pay litigation costs amounting to Rs. 2,000/- 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 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 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