**Complaint Against Excess Telephone Billing**

**Before The District Consumer Redressal Forum At**

Complaint No.\_\_\_\_\_\_\_\_\_\_\_ of \_\_\_\_\_\_\_\_\_.

…………….Complainant

Versus

……………….Respondent.

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

Respectfully Showeth:-

1. That the complainant is subscriber of Telephone No. \_\_\_\_\_\_\_\_\_\_which has been installed at his residence at \_\_\_\_\_\_\_\_ since the year \_\_\_\_\_\_\_.

2. That since the installation of Telephone the complainant had been receiving average bills around Rs. \_\_\_\_\_\_ including rental charges.

3. That for the last \_\_\_\_\_\_\_\_\_ months/years the respondent department has been sending excess bills in respect of the telephone and the complainant deposited the bills under protest thereby making complaints regarding the excessive billing of his telephone with the request to correct the same in accordance with the average billing, the copies of complaints are attached as Annexure C/1 to C/3 It is submitted that the following telephone bills in excess have been received by the complainant, the details of which are given below:-

(a) Bill No. \_\_\_\_\_\_dated \_\_\_\_\_\_\_\_\_ Rs. \_\_\_\_\_\_\_\_

(b) Bill No. \_\_\_\_\_\_dated \_\_\_\_\_\_\_\_\_ Rs. \_\_\_\_\_\_\_\_

(c) Bill No. \_\_\_\_\_\_dated \_\_\_\_\_\_\_\_\_ Rs. \_\_\_\_\_\_\_\_

4. That the respondents have not properly enquired into the complaints made by the complainant in respect of the above excessive bills as would be evident from the letters received from the respondents, the copies of which are attached as Annexure C/4 to C/7 and copies of the disputed bills are C/8 to C/11 in as much as the computerized details of calls made from the telephone have not been supplied to the complainant as required under the rules.

5. at the complainant has seldom used his telephone for outgoing calls and the bills received by him are not justified and highly excessive.

6. That there is deficiency of service on the part of the respondents in excessive amount of call charges and also not holding proper inquiry into the complaints lodged by the complainant regarding excessive billing of his telephone besides it also amounts to unfair trade practice and the complaint deserves to be adequately compensated.

7. That the respondent has arbitrarily rejected the complaints of the complainant lodged against the excessive billing of his telephone without holding any proper investigation or inquiry and also keeping in view the fact that computerised details of calls have not been provided to the complainant under the rules.

8. That the cause of action arose to the complainant on each occasion when he/she received excess bills of his telephone and submitted complaint to the respondent which was not properly inquired into by the respondent.

9. That this learned forum has jurisdiction over the matter as the present complaint is in respect of consumer dispute within the meaning of the Act.

10. That the complaint is within limitation.

It is, therefore, prayed to allow the following relief by redressing the grievance of the complainant:-

(i) That the respondents be directed to correct the bills issued to the complainant as mentioned in Para 3(a) to (d) on the basis of average of past one year from the date of excessive billing of telephone.

(ii) That the respondents be directed to adjust the excess amount above average received from the complainant in future bills.

(iii) That the respondents be directed to pay a sum of Rs.5000/- to the complainant on account of mental tension, harassment and court expenses by not redressing the grievance of the complainant.

(iv) Any other relief which this learned court deems fit may also be allowed to the complainant in the facts and circumstances of the case.

Complainant

Through

Advocate

Place: -

Dated:-

Annexures C1, C2 and C3

BEFORE THE DISTRICT CONSUMER REDRESSAL FORUM AT \_\_\_\_\_\_\_\_\_

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 10 which I admit as true and correct to my knowledge.

3. That the copies of the documents filed at Annexure C/1 to C/11 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