

GOVERNMENT OF JAMMU & KASHMIR
DISTRICT CONSUMER DISPUTES REDRESSAL COMMISSION
BARAMULLA/BANDIPORA

Coram: -

1. Peerzada Qousar Hussian President
2. Ms Nyla Yaseen Member

Consumer Complainant No: 46/2025

**Irshad Rashid Dand
Father of Muhammad Abdullah
Resident of Al-Kausar Krankshivan colony
Sopore, Tehsil Sopore, District Baramulla
UT of jammu & Kashmir**

.....(Complainant)

Versus

**1. PHYSICSWALLAH PRIVATE LIMITED
(CIN: U80900UPTC129223) Incorporated
On 06Dec 2020, registered at Registrar of
Companies, Kanpur Represented by
Authorised officer,
PHYSICS WALLAH
KLJ Noida One
B 8, Block B, Industrial Area, Sector 62,
Noida, Uttar Pradesh 201309
Email support@pw.live, Contact Number
07019243492.**

**2. Authorised Officer/Coordinator/In charge
Physics Wallah Limited
Baramulla Vidyapeeth (Pathshala Center),
Chankhan Bridge Sopore
Address Present Opposition Railway Station
Sopore.**

..... (opposite parties)

Date of Institution: 11-06-2025

Date of Decision: 13-03-2026

Appearing Counsel:

**Advocate Atif Mushtaq and Tajamul Islam present for the complainant.
Nemo for the OPs.**

Judgement

The present complaint has been filed before this commission on 11-06-2025, against the OP's alleging therein deficiency in service on the part of this OP's with prayer to grant the following relief:

- 1 Direction to the OP's to refund the entire amount Rs.35000/- (Thirty-five thousand).
- 2 Direction to the OP's to pay an amount of Rs.100000/- (one lakh) as compensation for causing mental agony and academic loss to the complainant ward.
- 3 Direction to the OP's to pay an amount of Rs.20000/- (Twenty Thousand) as litigation charges.
- 4 Pass any other order which the commission may deem proper in the facts and circumstances of the case.

The complainant is a permanent resident of UT of J&K who resides at Krankshivan Colony, Sopore, District Baramulla.

The contention of the complainant is that the OPs are providing online as well as offline educational coaching services and he, being desirous to provide quality education to his ward, namely Mohammad Abdullah, enrolled him in NEET 2027 targeted course titled Pathshala 11th NEET Batch Code ANTIMA offered by the OPs through their centre Pathshala Sopore, Baramulla. The complainant accordingly made an initial payment of Rs. 5,000/- on 14-04-2025 and Rs. 30,000/- on 25-04-2025.

Despite depositing an amount of Rs.35,000/- and repeated follow-ups, OP No.2 did not provide the batch access to the complainant's son. Although the complainant personally approached OP No.2, however, the OP No.2 failed to provide the services and the grievance of the complainant was not redressed; only hollow assurances were given.

The contention of the complainant is further that he addressed a letter to the Coordinator In-charge of Physics Wallah at Baramulla and demanded immediate refund of the deposited amount; however, no refund was made.

The failure to provide the agreed services to the complainant's ward has caused significant academic loss and mental agony to the entire family of the complainant.

The complainant further contended that the OPs have mentioned incorrect address on the receipt whereas the actual address is Main Railway Station, Sopore. The said action of the OPs amounts to deficiency in service under the Consumer Protection Act and the OPs on 22-05-2025 refused to refund the amount, which constrained the complainant to approach the District Commission, Baramulla for redressal of his grievance.

Notices were issued.

However, despite service, the OPs failed to appear before the Commission or to submit any response within the stipulated period of time, resultantly the ex-parte proceedings were initiated against the OPs.

The complainant submitted evidence by way of affidavits of two witnesses, namely Mohammad Waseem and Irshad Rashid Dand, complainant as witness in his own case.

Witness Mohammad Waseem, on affidavit, stated that he is an Advocate by profession and the junior Associate of the complainant. The OP being a private company providing educational coaching and learning services offered admission for NEET 2027 targeted course titled Pathshala 11th Batch Code ANTIMA to the students. Consequently, the complainant availed this offer of admission of his son and made payment of Rs. 5,000/- and Rs. 30,000/- on 14-04-2025 and 25-04-2025 under Registration No.22672969 for the target course Batch ANTIMA.

However, despite payment of the prescribed fee, the complainant's son was not given the access to participate in the course. The failure to provide the agreed services has caused significant academic loss and mental agony to the complainant's son and the entire family.

The witness on affidavit further stated that the complainant's wife was recently diagnosed with ovarian cancer and was operated upon. The OPs' sheer negligence aggravated her condition.

The complainant, as witness in his own case, on affidavit stated that he is an Advocate by profession. OP No.1 is a private company engaged in providing online educational coaching and operating offline centres across the country and OP No.2 is the authorized officer and coordinator of Baramulla.

The OPs offered admission for the NEET 2027 targeted course titled Pathshala 11th NEET Batch Code ANTIMA to eligible students. Consequently, he opted for the course and made an initial payment of Rs. 5,000/- on 14-04-2025 and Rs. 30,000/- on 25-04-2025 in the name of his son, namely Mohammad Abdullah, under Registration No.22672969. However, despite payment of the prescribed fee, as per the instructions, the OPs failed to provide access to his son to participate in the course and to achieve the target.

The complainant further stated that the OPs' failure to provide the agreed services to the complainant's son led to academic loss and caused mental agony to his entire family, which is sheer negligence.

The OPs, after service of notice, started sending SMS and notifications alleging non-attendance of the complainant's son and demanded second instalment of fee through WhatsApp mode. He submitted an application to the OPs and requested to refund the paid amount; however, they failed to refund the paid amount, which constrained the complainant to file the present complaint before the District Commission for redressal of his grievance.

Heard the complainant, meticulously perused the records placed on file, including the written arguments advanced by the complainant, and this Commission is of the considered opinion that the complainant enrolled his son in NEET course and deposited an amount of Rs. 35,000/-; however, the OPs, despite receipt of the prescribed fee, failed to provide access to the complainant's son to participate in the said course. The OPs were under bounden duty to provide access to the complainant's son to participate in the course, and refusal to do so amounts to deficiency in service on the part of the OPs.

We rely on the principle laid down by the Hon'ble Supreme Court that retention of fees without rendering services is impermissible and amounts to unfair trade practice.

In view of the above facts and circumstances, we hold Physics Wallah Private Limited herein after referred to as OPs and its authorized officer/coordinator liable for indulging in unfair trade practice and deficiency in service.

Therefore, the complaint is allowed and disposed of with the following directions:

1. The OPs are directed to refund the entire amount of Rs. 35,000/- (Thirty-five thousand) paid by the complainant.
2. The OPs are further directed to pay an amount of Rs. 50,000 (Fifty Thousand) to the complainant as compensation for causing academic loss to the complainant's son.
3. The OPs are further directed to pay an amount of Rs. 10,000/- (Twenty thousand) as litigation charges.

The OPs shall pay the entire awarded amount to the complainant within a period of four weeks from the date of order.

In case of failure, the awarded amount shall carry interest at the rate of 10% per annum from the date of order till its realization.

Order announced

Date: 13-03-2026


Nyla Yaseen
Member


Peerzada Qousar Hussain
President

Copy of this Order be provided to the parties for compliance and file be consigned to records after due completion.