

**DISTRICT CONSUMER DISPUTES REDRESSAL COMMISSION**

**EAST DELHI**

**CONSUMER COMPLAINT NO. DC/78/CC/238/2025**

VAIBHAV SINGH BHADANA  
PRESENT ADDRESS - EAST,DELHI.

.....Complainant(s)

Versus

FUJITSU GENERAL INDIA PVT LTD  
PRESENT ADDRESS - CHENNAI,TAMIL NADU.

.....Opposite Party(s)

**BEFORE:**

**SUKHVIR SINGH MALHOTRA , PRESIDENT  
RAVI KUMAR , MEMBER**

**FOR THE COMPLAINANT:**

VAIBHAV SINGH BHADANA

**DATED: 30/03/2026**

**ORDER**

Present : Complainant in person

None for OP

By separate order the Commission passed the following order:

- OP would refund Rs.1,14,000/- to the Complainant with interest @7 p.a. with effect from date of filing the complaint and Complainant shall return the AC in question to the OP simultaneously;
- OP shall also pay compensation of Rs.25,000/- and litigation cost of Rs.10,000/- to the Complainant.

As far as relief w.r.t. the cost of stand is concerned, it was no relating on merits qua OP and the same is declined.

This order shall be complied within 30 days from the date of receipt of the Judgment failing which OP shall pay interest @ 9% p.a. on all the above amounts till the date of realization.

Copy of the Judgment be supplied / sent to the parties free of cost as per rules.

File be consigned to Record Room.

Announced on 30.03.2026.

**(Ravi Kumar)**

**(S.S. Malhotra)**

**Member**

**President**

**DISTRICT CONSUMER DISPUTES REDRESSAL COMMISSION (EAST)**

**GOVT. OF NCT OF DELHI**

**CONVENIENT SHOPPING CENTRE, FIRST FLOOR,**

**SAINI ENCLAVE, DELHI – 110 092**

**C.C. No. 238/2025**

**VAIBHAV SINGH BHADANA,  
HOUSE NO.54A,**

**POCKET – B, MAYUR VIHAR-3,**

**DELHI - 110096**

**....Complainant**

**VERSUS**

**M/S FUJITSU GENERAL (INDIA) PVT. LTD.**

PRESTIGE COSMOPOLITAN,  
NO.36, 8<sup>TH</sup> FLOOR, SARDAR PATEL ROAD,  
GUINDY, CHENNAI,  
TAMIL NADU - 600032

.....OP

**Date of Institution: 29.05.2025**

**Judgment Reserved on:27.02.2026**

**Judgment Passed on: 30.03.2026**

**QUORUM:**

Sh. S.S. Malhotra (President)

Sh. Ravi Kumar (Member)

**Judgment by: Sh. S.S. Malhotra (President)**

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**JUDGEMENT**

By this judgment the Commission would dispose off the complaint of the Complainant against the OP in selling a defective product i.e. AC.

1. Brief facts as stated by the Complainant in the complaint are that he purchased one 3 Ton Split AC from the Authorized Dealer of OP by paying a total amount of Rs.1,14,000/- on 17.02.2025. However initially the AC could not be installed by OP stating that installation of AC on conventional wall is not feasible and Complainant has to make a separate stand and accordingly after having consultation with the Dealer i.e. from where it was purchased, a separate stand was made and ultimately the AC was installed.
2. Since it was month of February and weather was too cold the functioning of AC could not be checked

and Complainant used the AC for the first time on 11.05.2025 but it was found that AC was not cooling properly and thereafter various communications took place between the Complainant and the OP and he on 18.05.2025 made approximately 5 calls but problem was not solved. Similarly on 19.05.2025, the Complainant again made 11 calls right from 11.57 hrs. to 15.09 hrs. but even then the problem could not be resolved however on 19.05.2025 at about 4.11 p.m. one technician of OP informed Complainant that he is coming to resolve the issue who though came but handled the AC in a very unprofessional manner and even failed to refit the outdoor unit of AC properly and made scratches /damage on the indoor unit thereby leaving multiple grease handmark on the AC which were even not cleaned up by him and ultimately despite attempting to resolve the issue, the same could not be resolved and he rather informed the Complainant that the gas is less and he cannot resolve the issue.

3. Thereafter Complainant made third round of complaint on 19.05.2025 itself right from 17.08. hrs. to 19.32 hrs. but of no consequence. The said complaints were continued to be made on 20.05.2025 and 21.05.2025 and the Complainant received a call from OP that his technician would visit at 15.25 hrs. whereafter Complainant told to reschedule the visit at 18.30 hrs on 21.05.2025 and if the same is not possible then reschedule the visit at 10.00 am on 22.05.2025 which was confirmed but when Complainant tried to contact the said Technician on the given mobile number on 22.05.2025 no one responded. Rather Complainant subsequently received a call that visit at 10.00 am is not feasible for the technician.
4. The Complainant then issued Legal Notice to the OP which was not complied with and then he has filed the present complaint alleging deficiency on the part of OP thereby praying that OP be directed to refund Rs.1,14,000/- to the Complainant along with charges of the separately prepared stand costing Rs.15,329/- compensation of Rs.2,00,000/- and litigation cost of Rs.15,000/-.
5. Notice was issued and OP was served but OP neither appeared nor has filed written statement.

6. Complainant has filed evidence by way of affidavit of four witnesses i.e. he himself as CW/1, Affidavit of Sh. Kishan Kumar Bhatti CW/2 i.e.the neighbour of the Complainant, Smt. Alita Bhadana, the wife of the Complainant as CW/3 and Sh. Gyanender Singh Bhadana, who is stated to be a Mechanical Engineer dealing with the ACs as CW/4.

7. The Commission has heard the arguments of the Complainant and perused the records.

Apparently, the evidence of CW2 and CW4 is not relevant as their testimony is only a hearsay and they are not the expert in the field and no documentary evidence w.r.t. their qualification has been placed on record.

8. As far as Complainant and his wife both are concerned, they are the primary witnesses who have undergone the hardships faced on account of non-functioning of the AC in question. The Complainant has been able to prove that he purchased the AC in question as Bill has been placed on record and also that various complaints were made to OP out of which some were attended and some were even not attended and ultimately the complaint in the AC could not be resolved by the OP. Therefore, the Complainant has been able to prove that there was deficiency in service on the part of OP by selling a defective product which was not initially installed on the conventional wall and when it was installed on a separately manufactured stand however AC was not giving proper cooling.

9. One fact however is also clear that there is no expert opinion available on the record but the number of calls made by Complainant from 11.05.2025 to 21.05.2025 exhaustively prove that the AC of the Complainant was not working and it was a product having certain inherent defect which could not be resolved by the technician of OP when he visited the Complainant.

10. OP has not filed their reply and therefore the case of the Complainant goes un-rebutted.

11. The Commission therefore holds OP liable for deficiency in service and orders as follows:

- OP would refund Rs.1,14,000/- to the Complainant with interest @7 p.a. with effect from date of filing the complaint and Complainant shall return the ACin question to the OP simultaneously;
- OP shall also pay compensation of Rs.25,000/- and litigation cost of Rs.10,000/- to the Complainant.

As far as relief w.r.t. the cost of stand is concerned, it was no relating on merits qua OP and the same is declined.

This order shall be complied within 30 days from the date of receipt of the Judgment failing which OP shall pay interest @ 9% p.a. on all the above amounts till the date of realization.

Copy of the Judgment be supplied / sent to the parties free of cost as per rules.

File be consigned to Record Room.

Announced on 30.03.2026.

.....J  
**SUKHVIR SINGH MALHOTRA**  
**PRESIDENT**

.....J  
**RAVI KUMAR**  
**MEMBER**