

STATE CONSUMER DISPUTES REDRESSAL COMMISSION

CHANDIGARH

FIRST APPEAL NO. SC/4/FA/42/2026

(Against the Order dated 1st January 2026 in Complaint No. DC/44/CC/914/2025 of the District Consumer Disputes Redressal Commission Chandigarh district commission)

AAYUSH BANSAL

PRESENT ADDRESS - HOUSE NO 3544 SECTOR 38-
DCHANDIGARHCHANDIGARH,CHANDIGARH.

.....Appellant(s)

Versus

TATA SIA AIRLINES LTD

PRESENT ADDRESS - SOUTHERN PERIPHERAL RD, ADJACENT TO TATA PRIMANTI,
DHANI, MUHAMMADPUR, SECTOR 72, GURUGRAMGURUGRAM,HARYANA.

.....Respondent(s)

BEFORE:

**HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI , PRESIDENT
HON'BLE MR. PREETINDER SINGH , MEMBER**

FOR THE APPELLANT:

AAYUSH BANSAL

DATED: 01/04/2026

ORDER

STATE CONSUMER DISPUTES REDRESSAL COMMISSION,

U.T., CHANDIGARH

Appeal No.	:	42 of 2026
Date of Institution	:	11.02.2026
Date of Decision	:	01.04.2026

1. Aayush Bansal aged about 29 years s/o Sh. Naveen Kumar Bansal, r/o House no. 3544, Sector 38-D, U.T. Chandigarh-160036.
2. Abhishek Garg aged about 27 years s/o Sh. Devi Dayal Garg, r/o House no. 1501- 1502, Sector 40-B, U.T. Chandigarh - 160 036.

V e r s u s

1. Tata Sia Airlines Ltd (through its Managing Director), Intellion Edge, Tower A, 9th and 10th Floor, South Peripheral Road, Sector 72, Gurugram (Haryana) 122 101.
2. Vinod Kannan, Chief Executive Officer, TATA SIA Airlines Ltd Intellion Edge, Tower A, 9th and 10th Floor, South Peripheral Road, Sector 72, Gurugram (Haryana) – 122 101

.....Respondents/Opposite parties

BEFORE: JUSTICE RAJ SHEKHAR ATTRI, PRESIDENT.

MR. PREETINDER SINGH, MEMBER.

Present:- Sh. Umang Bansal, Advocate, for the appellants.

Sh. Daksh Prem Azad, Advocate, for the respondents.

JUSTICE RAJ SHEKHAR ATTRI, PRESIDENT

This appeal has been filed by the appellants as they are feeling aggrieved of inadequate relief, awarded by the District Consumer Disputes Redressal Commission-I, U.T., Chandigarh (in short the District Commission) vide order dated 01.01.2026 passed in the RBT/CC/914/2025 in CC/223/2014 filed by them against the respondents. Following relief was awarded by the District Commission in favour of the appellants:-

“..... In the light of the aforesaid discussion, the present consumer complaint succeeds, the same is hereby partly allowed and OPs are directed as under :-

(i) to refund Rs.58,641/- to the complainants alongwith interest @ 9% per annum (simple) from the date of institution of the present consumer complaint onwards

(ii) to pay lumpsum amount Rs.7000/- to the complainants as compensation for causing mental agony and harassment;

5. This order be complied with by the OPs jointly and severally within a period of 45 days from the date of receipt of certified copy thereof, failing which the principal amount(s) mentioned at Sr.No.(i) & (ii) above shall carry penal interest @ 12% per annum (simple) from the date of expiry of said period of 45 days, instead of 9% [mentioned at Sr.No.(i)], till realization....”

2. Before the District Commission, it was the case of the appellants/complainants that they had booked domestic air tickets from Chandigarh to Delhi and return, as well as international tickets from Delhi to Denpasar (Bali) and return, by paying substantial consideration to the respondents. On 02.04.2024, when the appellants had reached Denpasar Airport for their return journey, they had discovered that their scheduled flight had been preponed without any prior intimation. Due to the unilateral change in schedule by the respondents, the appellants missed their flight and were been left stranded at a foreign airport. They had no option but to arrange alternate travel by purchasing fresh tickets at a cost of Rs.51,000/-. Owing to the delay in arrival, they had also missed their connecting flight from Delhi to Chandigarh and had incurred additional expenditure towards local transportation. The appellants had issued a legal notice to the respondents, but no relief had been granted, compelling them to approach the District Commission.

3. It is coming out from the record that the defence of respondents was struck off vide order dated 17.7.2024 as they failed to file written version within the stipulated period.

4. The District Commission, after considering the evidence on record, partly allowed the complaint and directed the respondents to refund the amount of Rs.58,641/- along with interest and awarded a lump sum compensation of Rs.7,000/- for mental agony and harassment. Being dissatisfied with the quantum of compensation; non award of separate litigation expenses and also lower rate of interest on the amount of refund, the appellants have preferred the present appeal seeking enhancement.

5. Counsel for the appellants submitted that although the District Commission had correctly appreciated the facts and rightly held the respondents guilty of deficiency in service, it had erred in awarding a meagre amount of Rs.7,000/- as compensation. It was contended that the appellants had suffered significant mental agony, inconvenience, and financial hardship, particularly because the incident had occurred at an international destination where they had been left stranded without assistance. It was further argued that the appellants had been forced to incur additional expenditure under compelling circumstances and had undergone prolonged stress, uncertainty, and inconvenience. The compensation awarded was stated to be merely nominal and not commensurate with the gravity of the hardship suffered. It was also submitted that no amount has been awarded towards litigation expenses despite the appellants having pursued the matter diligently. Accordingly, it was prayed that the compensation be enhanced and that separate litigation costs be awarded, including enhancement of interest already awarded by the District Commission.

6. On the other hand, counsel for the respondents contended that the present appeal being devoid of merit is liable to be dismissed.

7. We have given our thoughtful consideration to the rival submissions and have carefully perused the record of the case.

8. At the outset, it is not in dispute that the respondents had preponed the flight from Denpasar to Delhi without giving any prior intimation to the appellants. This act of the respondents had already been held by the District Commission to constitute deficiency in service, and the said finding has attained finality as the same has not been challenged by the respondents.

9. The only question that arises for consideration in the present appeal is whether the compensation awarded by the District Commission is just and adequate?

In this regard, it is important to note that the appellants had been travelling from a foreign country and had reached the airport in accordance with the scheduled departure time. They had then been informed that the flight had already been preponed, thereby rendering their tickets useless. Such an act on the part of the respondents reflects a serious lapse in service, as timely communication of schedule changes is a fundamental obligation of an airline.

The consequences of this lapse were significant. The appellants had been left stranded at an international airport, a situation which naturally entails considerable stress, anxiety, and inconvenience. They had to make immediate alternate arrangements at a much higher cost, without any assistance from the respondents. The situation would have caused not only financial strain but also emotional distress, particularly in a foreign country where passengers are more vulnerable and dependent on proper coordination by service providers.

10. Furthermore, the suffering of the appellants did not end there. Due to the delayed arrival, they had missed their connecting domestic flight from Delhi to Chandigarh and had to incur additional expenses to reach their destination. The collective effect of these circumstances clearly establishes that the appellants had undergone prolonged hardship and harassment.

11. In such a scenario, awarding a sum of Rs.7,000/- as compensation appears to be wholly inadequate and does not reflect the true extent of the mental agony suffered. Compensation in consumer matters is not only intended to reimburse losses but also to acknowledge the inconvenience and distress caused due to deficient services. It must be realistic and proportionate to the suffering endured. Under these circumstances, this Commission is of the considered opinion that the amount of compensation aforesaid, awarded by the District Commission is on the lower side and failed to meet the ends of justice. The facts of the case justify a more substantial compensation so as to adequately redress the grievance of the appellants and to serve as a caution to service providers to adhere to their obligations.

12. Additionally, it is evident that the appellants had to engage in litigation to secure their rightful claim, which would have involved expenditure on legal representation and other incidental costs. The

District Commission did not award any amount towards litigation expenses, which also warrants correction.

13. So far as the grant of interest by the District Commission is concerned, it is observed that the Commission has awarded interest @ 9% per annum (simple) on the amount of Rs.58,641/- from the date of institution of the consumer complaint. Upon consideration, this Commission is of the view that the rate of interest awarded is just, fair, and in consonance with settled principles of consumer jurisprudence. The purpose of awarding interest is to compensate the complainants for the deprivation of the use of their money and to ensure timely compliance of the order. The rate of 9% per annum cannot be said to be inadequate in the given facts and circumstances of the case. It is further pertinent to note that the District Commission has already safeguarded the interest of the appellants by providing for enhanced penal interest @ 12% per annum in case of default, which acts as an effective deterrent against non-compliance. In view of the above, this Commission finds no justification to interfere with or enhance the rate of interest awarded by the District Commission. The same is accordingly affirmed and upheld.

14. For the reasons recorded above, this appeal stands partly allowed. The order of the District Commission stands modified and the respondents/opposite parties, jointly and severally, are directed as under:-

- (i.) To refund the amount of Rs.58,641/- to the appellants/complainants alongwith interest @ 9% per annum (simple) from the date of institution of the consumer complaint onwards, as already awarded by the District Commission.
- (ii.) To pay compensation for causing mental agony and physical harassment; and deficiency in providing service, to the tune of Rs.50,000/- and also litigation expenses to the tune of Rs.15,000/- to the appellants/complainants.
- (iii.) This order be complied with by the respondents/opposite parties, within a period of 45 days from the date of receipt of a certified copy therefore, failing which, thereafter, they shall be liable to pay interest @12% p.a. on the awarded amounts, from the date of default, till realization.

15. Pending application(s) if any, stand disposed of, accordingly.

16. Certified Copies of this order be sent to the parties, free of charge, forthwith

17. The file be consigned to Record Room, after completion and the record of the District Commission concerned be sent back immediately.

Pronounced

01.04.2026

Sd/-

[JUSTICE RAJ SHEKHAR ATTRI]

PRESIDENT

Sd/-

(PREETINDER SINGH)

MEMBER

Rg.

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JUSTICE RAJ SHEKHAR ATTRI
PRESIDENT

.....
PREETINDER SINGH
MEMBER