

Date of Filing:19.10.2024

Date of Order:25.03.2026

**BEFORE THE BANGALORE I ADDITIONAL DISTRICT
CONSUMER DISPUTES REDRESSAL COMMISSION
SHANTHINAGAR BANGALORE - 27.**

CONSUMER COMPLAINT NO.378/2024

DATED ON THIS THE 25TH MARCH 2026

PRESENT

Sri.Syed Anser Kaleem, B.Sc., B.Ed., LL.B., PRESIDENT

Smt.Sharavathi S.M, B.A, LL.B., MEMBER

Smt.Jyothi N, B.A, LL.B. L.L.M. MEMBER

COMPLAINANT :

Mrs.MonikaKiran @
Monika KJ,
W/o.Kiran Sandeep Krishna,
Aged about 37 years,
R/at No.139, 6th Main, 1st Stage,
KHB Colony, Basaveshwaranagar,
Bengaluru-560079

Adv: Sri.Vivek Raviprakash

Vs

OPPOSITE PARTY/S:

- 1** M/s.Blush Clinics Private Limited,
House No.6, Garden Homesst
Vincent De Paul S Chs Ltd,
1stChitrakarDhurandharMarg,
Khar West Mumbai,
Maharashtra, India 400052,
Represented by its Director
Jamuna Bhasker Pai,
- 2** Dr.Jamuna Pai's SkinLab
#7/1, 2nd Floor, The Rack,
Vittal Mallya Road,



Bengaluru-560001,
Represented by its
Authorized Person
Jamuna Bhasker Pai,

3 Dr.Harsha,
Aged about 40 years,
Dr.Jamuna Pai's Skin Lab
#7/1, 2nd Floor, The Rack,
Vittal Mallya Road,
Bengaluru-560001,

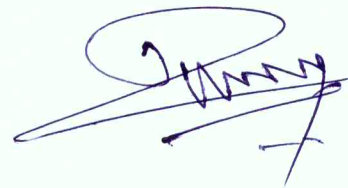
4 Dr.Sheena,
Aged about 38 Years
Dr.Jamuna Pai's Skin Lab
#7/1, 2nd Floor, The Rack,
Vittal Mallya Road,
Bengaluru-560001,

**Adv: Smt.C.Bhargavi (OP No.1 to 3)
OP No.4 Exparte**

Nature of complaint	Deficiency in service
Date of filing of complaint	19.10.2024
Date of Issue of Notice	11.11.2024
Date of Order	25.03.2026
Duration of Proceeding	01 Year 05 Months 07 Days

Orders By Sri.Syed Anser Kaleem, President

1. That the complaint has filed this complaint U/s.35 of the Consumer Protection Act, 2019 against the Opposite Party No.1 to 4 (herein referred in short as OPs) alleging deficiency in service and thereon pray for direction to the OPs to refund a sum of Rs.3,50,700/- paid towards



the treatment charges and seeking compensation towards mental agony and shock, suffering, agonies hardships, inconveniences and expenses suffered/incurred along with interest at 18%p.a and further direct the OPs to pay punitive damages for committing unfair trade practice along with cost of litigation and to grant such other relief as this Hon'ble Commission deem fit in the circumstances of the case.

2. The brief facts of the complaint averments are

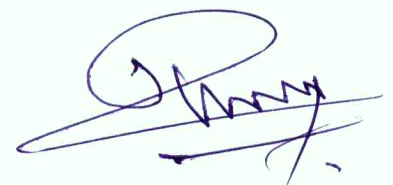
that: the OP No.1 and 2 have been promoting in their website for providing treatments for Acne, Pigmentation and Facial Contouring and it was also promoting that the OP No.2 is the first of its kind to introduce Cool sculpting non-surgical fat reduction in Bangalore. It is stated that as per the advertisement of the OP No.1 & 2, the Complainant had visited the OP No.2 for getting facial treatment (Oxyblast) on 18.08.2023. It is stated that at the time of visiting the OP No.2, the Complainant was having 1 or 2 acne scars.

It is stated that complainant had visited only for facial, the complainant was induced and compelled to consult a Doctor, accordingly, the complainant had consulted



Dr.Sheena i.e., OP No.4 and upon consultation, the OP No.4 had compelled the complainant to get few blood investigations and later the OP No.4 had induced the complainant to take Gluta IV for removal of acne scar which was not noticed then apparently and LHR (Laser Hair Removal) on 18.08.2023. Further stated that the complainant was forced to pay a sum of Rs.50,000/- towards Radiance Antioxidant Treatment and Full Face Laser 1st Installment of 6 sittings, on 18.08.2023 and accordingly, it was paid by the complainant.

It is stated that OP No.4 had assured the complainant that after taking Gluta IV, the acne scars would go off and it would brighter the skin of the Complainant and thereon without diagnosis, the OP No.4 had administered Gluta IV and conducted LHR on the place where complainant had finer hairs and soon after the first session, the complainant had noticed more acnes on her face and further the complainant had noticed thick hair started growing where LHR was conducted. It is stated that the complainant informed the same to the OP No.4 through whatsapp and requested to stop the treatment which was not working out, but OP No.4 wrongly advised the complainant to attend for second session. It is stated that the complainant having no



other go, had to attend for the second session and for which the complainant had paid a sum of Rs.39,700/- on 26.08.2023. It is stated that even for the second time as well, the complainant did blood test and had brought the reports to show it, but the OP No.4 did not bother to see the blood report and straightaway went ahead with second session of Gluta-IV without minding the consequences and health implication upon the Gluta IV and LHR. It is stated that complainant requested the OP No.4 before starting the second session to cancel the session of Gluta -IV and LHR as the complainant was having sever itching and acnes as well as thick hair was keep increasing on her face. Despite the request, the OP No.4 had compelled the Complainant to take 2nd Session and had wrongly advised the Complainant to take continuous 6 session without fail (But complainant has taken only 5 LHR sessions & 1 LHR session is still pending for which she has already paid) and further, thereafter advised the Complainant to take further 24 Sessions for better result. That time, the Complainant had realized that OP No.4 was trying to loop the Complainant just to extract money under the guise of Gluta-IV and LHR treatment.



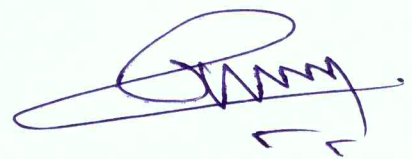
It is stated that after the second session, the situation has become even worse for the complainant as the Complainant's face was full covered with acne and further at the place where the OP No.4 had done LHR, the Complainant had noticed that there is thick hair started growing. It is stated that the hope of complainant getting her skin better with the treatment was lost after the second session was over. It is stated that OPs compelling the victims to undergo 20 to 40 sessions which cost 35K to 40K per sessions and in that way the OPs have been exploiting the innocent people like complainant. Further the complainant had lost money towards the treatment which has no benefit and demanded refund of money spent by her towards the treatment which is of no use. It is stated that complainant had issued a notice dated 10.07.2024 & 24.07.2024, but OPs did not reply. Hence, this complaint.

3. Upon the admission of the complaint and on issuance of notice, OP No.1 to 3 appeared through his counsel and filed version. Whereas, OP No.4 failed to appear before the Commission and consequently OP No.4 placed exparte.



In the version of OP No.1 to 3, it is contended that OP No.1 is a company registered under the provisions of the Companies Act. 1956 and is a leading skin care and wellness clinic, having branches in Mumbai, New Delhi, Bangalore, Chennai, Hyderabad, Ahmedabad, Pune & Vadodara. It is submitted that the company is founded by Dr.Jamuna Pai, a renowned cosmetic physician, who has been in the field of aesthetic medicine since 1994 and is credited with pioneering and introducing several effective skincare treatments and techniques. Dr.Jamuna Pai has been associated with the 'Miss India' organizing committee as a skincare expert for the past decades ensuring the Indian contingent is well prepared to attend international pageantry. It is contended that the Complaint is a result of suppression of facts and wrong understanding of treatments given by the OP No.1 & 2. It is contended that the complainant visited the OP No.2 clinic for a consultation on 07.09.2021 with chief complaints of acne, facial hair and tan, as documented by her in the Complainant's own handwriting in the client card.

Further contended that complainant has since visited the OP No.2 clinic and availed three Oxyblast facial



sessions which is a med-facial treatment that involves infusing the facial skin with 99% pure oxygen followed by vitamin serum to achieve rejuvenation and hydration. It is contended that the complainant acknowledged her inability to consistently follow the prescribed medications and routines due to her lifestyle. It is contended that in August-2023 complainant approached the OP No.2 again, with same complaints as before and sought a consultation with the OP No.4 doctor, who was then associated with the OP No.2 seeking cosmetic treatments for her skin conditions. Therefore, the Complainant was prescribed the following treatments:

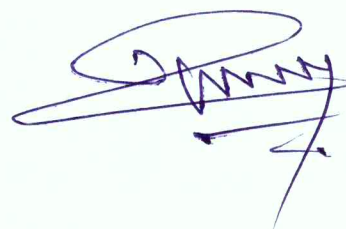
- i. Six (6) sessions of Laser Hair Reduction along with a series of maintenance sessions for her facial hair.
- ii. 20 Sessions of IV Antioxidant Radiance Therapy for skin rejuvenation and tan removal followed by maintenance sessions.
- iii. Blood tests and abdominal ultrasound scans to understand the underlying medical issues behind the persistent acne.
- iv. Chemical peels for acne scars.



It is contended that the complainant was advised that for optimal results to present visibly, it will take multiple sessions running over several weeks. The consulting doctor, the OP No.4, clearly explained the benefits and possible outcomes to the treatments chosen by the Complainant, and the Complainant voluntarily signed the consent forms.

Further, contended that, the allegations of Complainant is concern negligence and deficiency in service related to two treatments administered i.e., Glutathione and Laser Hair Reduction by OP No.1 and 2. Whereas, the details regarding treatment provided reads thus:

i. A. Glutathione is a tripeptide, consisting of glutamic acid, glycine, and cysteine, that naturally occurs in body tissues. Glutathione, due to its antioxidant properties, is useful for cell-repair, detoxification. In fact, Glutathione is present in vegetables like broccoli, garlic, cruciferous vegetables and in fruits like banana, strawberry and papaya. It is available in oral, topical and intravenous forms and is prescribed by physicians to treat a host of diseases like neurodegenerative disorders to pulmonary diseases. The cosmetologists



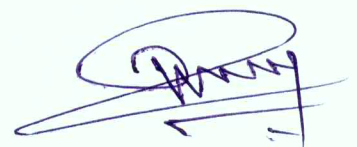
particularly prescribe intravenous Glutathione as a supplementary treatment for its role in protecting cells from free radicals and cellular detoxification.

ii. It is contended that, the OP No.1 and 2 only use premium standard, high quality, best Glutathione, the Complainant was prescribed 20 sessions of Glutathione IV treatment for skin rejuvenation and tan removal which is administered only by doctors, this being the case, the claim by the Complainant that Glutathione aggravated facial acne is not backed by scientific knowledge. The OP No.1 & 2 in their brochure has given a detailed overview of the Glutathione treatment.

B. Laser Hair Reduction

i. Hair reduction, often called hair removal, is one of the most common procedures used by cosmetologists. Lasers used in hair reduction aim to disable effective hair growth by destroying hair bulbs during the anagen growth phase. There are several types of LASER, based on the skin types, such as ruby, NdYag, etc.

ii. The OP No.2 is using the gold standard cutting edge device, which is the USFDA approved GentleYAGProU for laser hair removal, offering high speed performance,



ease of use, and high patient satisfaction. The laser treatment is carried out directly by the medical doctors and not by technicians. Since the Laser also incorporates cooling technology which sprays a cooling burst of cryogen onto the skin with each Laser pulse it offers additional comfort to the clients, while minimizing the temporary signs of irritation. The OP No.2 in their brochure has given a detailed overview of the Laser Hair Reduction treatment.

It is contended that prior to her first Glutathione-IV session, the OP No.2, through their consulting doctor, the OP No.4 did a physical check-up of the Complainant and found that the Complainant not only had severe face acne, but, severe case of body acne as well as lesions in her chest and back. Further contended that the consulting doctor and subsequently the OP No.3 advised her not to pick on her acne and lesions, as the acne/lesions were consistently red in colour, indicating that they are being constantly touched and picked. The Complainant admitted to picking her face and body acne involuntarily.

It is contended that on 31.08.2023, the Complainant sought a clarification on acne post laser hair reduction for which the OP No.4 by way of telephonic



conversation suggested usage of creams and medicines advised in her prescription dated 07.09.2021 to calm the post-laser eruptions and advised not go out under harsh Sun without using SPF-50 level sunscreens or umbrellas. It is contended that even though complainant had taken two sessions of Glutathione IV, she had no issues with any reactions, except the one instance referred that, the Complainant has not expressed any concerns during or post any treatment. It is contended that the complainant has not stated her grievances and clearly the allegations are an afterthought.

It is contended that, the complainant took her 2nd Laser Hair Reduction session only on 05.10.2023, over 70 days post her session and further informed the OP No.2 consulting doctor that she has been parallelly taking other treatments at other skin clinics, from other dermatologists and cosmetologists. It is contended that, the consulting doctor of the OP No.2 issued a strong warning regarding potential cross-reactions between different treatments, which could lead to increased skin sensitivity and aggravation of her condition.



It is contended that there was again a significant gap of over 90 days, before the Complainant had her subsequent Laser Hair Reduction sessions on 18.01.2024, 28.02.2024 and 06.04.2024 and each time, the Complainant personally called ahead to schedule the session, did not state any contraindications during or post the session, that would have warranted a change in the direction of treatment. In the interim, the consulting doctor of OP No.2 has prescribed medications to the Complainant for the improvement of her skin on 15.09.2023 and 18.01.2024.

It is contended that the complainant has not completed the scheduled sessions of Laser Hair Reduction (LHR) and therefore the claim of deficiency of services is patently flawed. Facial hair, like all bodily hair is subject to the growth cycle of the hair. The claim that LHR has caused thicker hair growth is medically unfounded. While temporary changes in hair growth patterns are rare, they may occur during treatment, as was clearly disclosed to the Complainant both verbally and through the consent forms, both of which proprietary materials of the 1st and 2nd OPs. It is contended that the treatment is scheduled at monthly

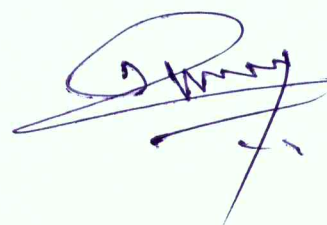


intervals and for a specific number of sessions, aimed at effectively targeting the hair growth pattern. The complainant has failed to act in good faith by not adhering to the prescribed treatment plan. The Complainant has further failed to appreciate that there are numerous underlying factors, both external and internal, that may prevent a proven treatment from yielding the desired results. It is contended that, the OP No.2 has extended their support and co-operation in addressing the Complainant's concerns, which the Complainant has concealed it. Further, contended that complainant has not approached with clean hands and filed only to harass OPs, hence, on the above said grounds OPs prays to dismiss the complaint.

4. In order to prove the case of both the parties and both parties have filed their affidavit evidence along with documents and also filed written arguments.

5. On the basis of the available pleading and the evidence placed on record, the following points will do arise for our consideration:-

- i) Whether the complainant proves that, due to administration of Glutathione IV and treatment of LHR causes health hazards due to***



negligence of the OPs in their treatment and thereby OPs were committed deficiency in service?

ii) Whether the Complainant is entitled for the relief as sought in the Complaint?

iii) What Order?

6. We have heard the arguments. Perused the evidence placed on record. Our answers to above points are as under:

Point No.(i) : In the Negative

Point No.(ii) : In the Negative

Point No.(iii) : As per the final order for the following

:: REASONS ::

7. Point No.(i) & (ii): These two points are interlinked to each other and thereon these points taken up together for common discussion in order to avoid repetition for the sake of brevity and convenience.

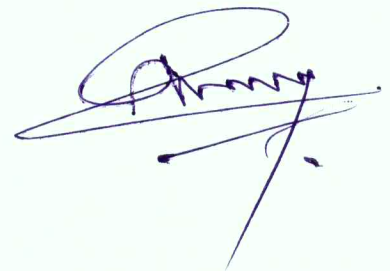
8. On perusing the pleadings of the parties, it is not in dispute that the complainant in order to get facial treatment and for other ailments, had approached the OPs on 07.09.2021 with the complaints of acne (pimples), facial hair (removing), tan (to remove



darkness of the skin) which are caused due to the exposure to the sunlight or to other reasons. It is also not in dispute that the OPs, have given treatment for those ailments and suggested Glutathione IV. Accordingly, complainant took GIV injection. The allegation of the complainant is that on administration of Glutathione IV she was suffered side effects, though the matter was informed to the OP No.4 doctor and even after several blood tests and without referring the reports, he himself administered the Glutathione IV injection. Hence, complainant alleges that, due to such negligence complainant suffered.

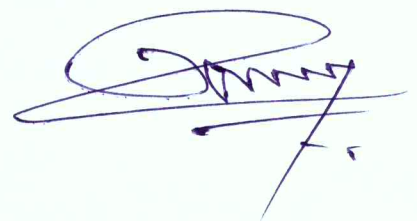
9. Percontra, OPs contended that, after the treatment the result is improved and to prove the same the OPs produced some photographs.

10. On perusal of the earlier photographs prior to treatment and subsequent to treatments some improvement seen in the feet relating to tan removal as per the comparison of photo dated 22.09.2023 (18.08.2023) also tan on the hands of the complainant. Whereas, the other photographs seen in face and other parts of the body, it looks prima facie tan and acne



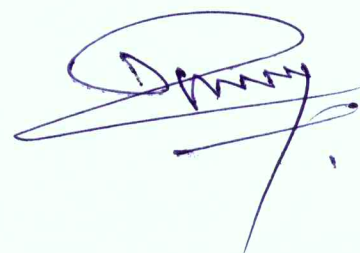
developed deeply, it requires more number of sessions for better result as saying of the OPs.

11. Further, as per Ex.P-10 the complainant also given consent for required treatment and she agreed to follow the instructions of the OP and it is also clearly informed to the complainant using of Vitamin-C and Glutathione medications via intravenous infusion as may be deemed necessary, all these clearly demonstrate that the complainant has given the consent as per Ex.P-10, blaming the OPs without any base holds no water. Further, on perusal of Ex.P-11 also discloses that the requirement of more sessions and also informed the complainant regarding causing discomfort during laser treatments and after understanding even by accepting the practice of medicine is not an exact science and no guarantee can be made concerning the expected result, also complainant voluntarily consented. If such being the case, how can the complainant without any scientific base alleges the OPs treatment. Hence, in absence of cogent evidence the mere allegations of the complainant are not sufficient for us to find out negligence on the part of the OPs.



12. In order to prove the case of the complainant, complainant filed affidavit and documentary evidence. On perusing the affidavit evidence carefully, the complainant nowhere denied the fact that, she had took simultaneous treatment with other doctors, also not denied the fact that she has disclosed the previous history of her ailments to the OP doctors and also she failed to explain whether there is counter reaction due to combination of two parallel treatment. It is also not denied that complainant approached other doctor with complaints of skin acne, face acne Excoriation (plucking of pimples) hence, it spreads, it is evident and made us to draw inference taking simultaneous treatment with other doctors for same cause it may cause adverse effect.

13. It is worth to mention that the allegation of complainant is that due to administration of Glutathione IV side effects caused and doctors caused negligence, but the said allegation is contrary to the Ex.P-10 wherein which complainant clearly consented to the fact that, the medicine is not an exact science and no guarantees can be made concerning the expected result and the allegations made in the complaint against OPs is contrary to Ex.P-10.



14. Further the complainant also exchanged interrogatories and for such interrogatories reply is also given by the OPs. On perusal of entire interrogatories it will not throw the exact light on the allegations of the complainant. Under the circumstances, it is the duty of the complainant to examine any expert to demonstrate that OPs are negligent in treating the complainant. In absence of any expert evidence and the Commission not being expert in the field cannot merely rely on the bare allegations of the complainant, in addition to that, the complainant herself withdrawn the treatment and not attended the complete session prescribed by the OP No.4 doctor.

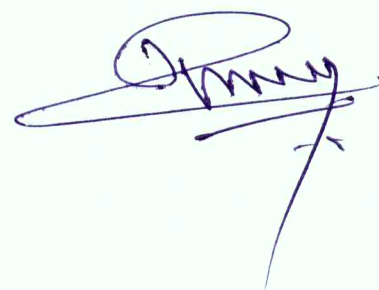
15. Further, to substantiate the contention of OPs they have relied on the reportable decision of the **Hon'ble Supreme Court of India decided in the case of Jyothidevi Vs. Suketh Hospital and others.** In the said decision the Hon'ble Apex court observed that **"the medical practitioner will be held liable for the negligence only in circumstances when their conduct falls below the standards of reasonably competent practitioner"** whereas, complainant not produce any evidence to show that the conduct of OPs



falls below the standard of a reasonably competent practitioner. Further, the complainant also not alleged about the skill and competency of the OPs. Admittedly, the complainant has taken treatment for the same cause simultaneously with two different doctors, hence we are of the opinion that there could be a genuine difference of opinion. The Hon'ble Apex Court also observed that the medical practitioner not to be held liable simply because the things went wrong from mischance or misadventure or through an error of judgment in preference to another.

16. On foregoing reasons discussed above, we are of the considered opinion that complainant failed to prove the deficiency in service on the part of the OPs and thereon complainant is not entitled for the relief as sought in the complaint. Accordingly, we have answered ***Point No.(i) & (ii) in the Negative.***

16. Point No.(iii):- On the basis of the reasons assigned while answering the Point No.(i) & (ii), we proceed to pass the following:



ORDER

i. The Complaint filed by the complainant is hereby dismissed. No order as to cost.

ii. Send a copy of this order to both parties free of cost.

(Dictated to the Stenographer transcribed, typed by her, corrected by us and then pronounced in Open Commission on this the 25th day of March 2026)

Shanavathi S.M.
MEMBER
25.03.2026

Jyothi N
25/3/2026
MEMBER


PRESIDENT 25/3

//ANNEXURE//**Witness examined on behalf of the complainant by way of affidavit:**

Smt.Monika Kiran @ Monika.K.J - who being the complainant has filed affidavit

List of Documents produced by the complainant:

1	Ex.P-1	Copy of receipts receiving through mail
2	Ex.P-2	Copy of whats app messages
3	Ex.P-3	Copy of the receipt dated 26.08.2023
4	Ex.P-4 & P-5	Photographs of the complainant before taking session and after taking session
5	Ex.P-6	Copy of treatment charts
6	Ex.P-7 & 7(a)	Copy of legal notice and postal receipt
7	Ex.P-8 & 8(a)	Copy of corrigendum to the notice & Postal receipt
8	Ex.P-9	Copy of postal track consignment report
9	Ex.P-10 To P-12	Copies of forms and consent letters
10	Ex.P-13	Copy of Aadhaar card of complainant
11	Ex.P-14	Certificate U/s.86 of the BSA 2023
11	Ex.P-15	Client card dated 07.09.2021 issued by Skin Lab
10	Ex.P-16 To P-28	Copy of medical bills and tax invoice (10 in numbers)
11	Ex.P-29 To 31	Copy of prescription (3 in numbers) & medical reports (3 in numbers)
13	Ex.P-32 To P-34	Copy of online reviews

Witness examined on behalf of the OP by way of affidavit:

Dr.Harsha Vardhini - who being OP No.3 has filed affidavit

List of Documents produced by the OPs:

1	Ex.R-1	Copy of client card filled by complainant on 07.09.2021
2	Ex.R-2	Copy of medicines prescribed by consultant doctor of OP No.2 to the complainant dated 07.09.2021



3	Ex.R-3	Copy of brochure (Anti Oxidant Radiance Therapy)
4	Ex.R-4	Copy of brochure (Laser Hair Reduction)
5	Ex.R-5	Complainant's Photograph taken before treatment on 18.08.2023
6	Ex.R-6	Copy of medicines prescribed by consultant doctor of OP No.2 to the complainant dated 15.09.2023.
7	Ex.R-7	Copy of medicines prescribed by consultant doctor of OP No.2 to the complainant dated 18.01.2024.
8	Ex.R-8	Photos of complainant showing acne

Shanavathi.S.M.

MEMBER

25.03.2026

NRS*

Jyoti N
25/3/2026
MEMBER

PRESIDENT 25/3

