

Case No. DC/407/CC/396/2025 Gwalior Ms. Prakriti Vs Eureka Forbes Order Dated 23-06-2026

DISTRICT CONSUMER DISPUTES REDRESSAL COMMISSION, GWALIOR (MADHYA PRADESH)

Date of Institution : 05.08.2025

Date of Final Hearing : 14.05.2026

Date of Final Order : 23.06.2026

Case No. D.C.C./407/C.C./396/2025

Ms. Prakriti Mishra,
Daughter of Shri Vijay Mishra, Age – 21 Years,
Resident of Ward No. 8, Behind Pioneer School,
New Ghosipura Vihar Colony, Four-City Road,
Near Chhatri, Gwalior (Madhya Pradesh) – 474003
Mobile No. – Not Available
Advocate – Shri Shailendra Singh
..... Complainant

Versus

Eureka Forbes Limited, through its Managing Director / Authorized Representative,
Registered Office – Unit No. 701, Seventh Floor,
Marathon Futurex, N. M. Joshi Marg,
Lower Parel, Mumbai – 400013 (India)
Mobile No. – Not Available
Advocate – Shri Aditya Sharma
..... Opposite Party

CORAM:

Shri Rajendra Prasad Sharma – President

Shri Revati Raman Mishra – Member

By: Shri Revati Raman Mishra – Member

ORDER

(Passed on 23.06.2026)

1. The present complaint has been filed by the complainant under Section 35 of the Consumer Protection Act, 2019 seeking refund of ₹3,699/- from the opposite party along with compensation for mental and financial loss and other appropriate reliefs.

2. The case of the complainant, as stated in the complaint, is that on 15.05.2024, the complainant purchased a Vacuum Cleaner from the opposite party through Amazon for a consideration of ₹3,699/- through Amazon for ₹3,699/-. On 17.05.2024, the aforesaid Vacuum Cleaner started emitting smoke due to overheating and its paper sweep got melted, after which it was immediately switched off. In this regard, the complainant informed the company that the said product was under warranty and requested repair and replacement. Thereupon, several technicians inspected the product and attempts were made to replace the motor, but the product could not be repaired. In October 2024, the product was taken away by technician Manal Singh Baghel, who assured that it would be repaired and returned soon. However, till date the said product has not been returned and remains in the custody of the opposite party. Thus, due to deficiency in service on the part of the opposite party, the complainant has filed the present complaint seeking the reliefs mentioned in Paragraph No. 1.
3. The opposite party, in its reply, has contended that the complaint has been filed falsely and maliciously with the intention of obtaining compensation from the opposite party. It has been stated that whenever any complaint regarding the product was received, the company immediately deputed technicians for rectification of the product. Therefore, there has been no deficiency in service on the part of the company, and the complaint deserves dismissal.
4. In support of the complaint, the complainant filed her own affidavit and photocopies of documents Exhibits P-1 to P-3. On behalf of the opposite party, the affidavit of Siddharth Shrivastava and the written statement of the opposite party were filed.
5. The pleadings of both parties, the documents produced, and the affidavit evidence on record have been examined and analysed.
6. The question for determination in the present case is:

“Whether the opposite party committed deficiency in service by failing to repair the product during the warranty period?”
7. It is stated in the complainant’s affidavit that on 15.05.2024, the complainant purchased a Vacuum Cleaner manufactured by the opposite party through Amazon for ₹3,699/-. On 17.05.2024, the said Vacuum Cleaner started emitting smoke due to overheating and its paper sweep melted, after which it was immediately switched off. In this regard, the complainant informed the company that the said product was under warranty and requested repair and replacement. Several technicians inspected the product and attempts were made to replace the motor, but the product could not be repaired. In October 2024, the product was taken away by technician Manal Singh Baghel, who assured that it would be repaired and returned soon. However, till date the product

has not been returned and remains in the custody of the opposite party. In this regard, the opposite party has contended that the complaint has been filed unnecessarily and maliciously with the intention of obtaining compensation. It has also been stated that whenever any complaint regarding the product was received, the company immediately deputed technicians for rectification of the product.

8. In the present case, the opposite party has not disputed the statement made in the complainant's affidavit that the Vacuum Cleaner became defective during the warranty period. The opposite party has stated that technicians were immediately sent by it, but it has not rebutted the complainant's assertion that the technicians could not repair the product and that the Vacuum Cleaner was taken away for repair and has remained in the possession of the opposite party till date without being returned to the complainant after repair. Therefore, it is clear that the conduct of the opposite party falls within the category of deficiency in service.
9. Accordingly, the present complaint is partly allowed and the following order is passed:
 - The opposite party shall, within a period of 45 days from the date of this order, at its own expense, return the repaired Vacuum Cleaner to the complainant. In the event that the Vacuum Cleaner is not capable of being repaired, the opposite party shall provide a new Vacuum Cleaner of the same model or refund its purchase price of ₹3,699/-.
 - Within the aforesaid period, the opposite party shall pay ₹2,000/- towards compensation for mental agony and ₹1,500/- towards litigation expenses to the complainant.
10. A copy of this order shall be provided to the parties free of cost and the order shall be uploaded on the concerned website for viewing by the parties.
11. The case record, along with a copy of this order, shall be consigned to the record room/archives.

(Rajendra Prasad Sharma)
President
District Consumer Disputes Redressal Commission
Gwalior (Madhya Pradesh)

(Revati Raman Mishra)
Member
District Consumer Disputes Redressal Commission
Gwalior (Madhya Pradesh)