

DISTRICT CONSUMER DISPUTES REDRESSAL COMMISSION ERNAKULAMDated this the 14th day of July 2026

Filed on: 26/03/2019

PRESENT

Shri. D.B. Binu
 Shri. V. Ramachandran
 Smt. Sreevidhia T.N

Hon'ble President
 Hon'ble Member
 Hon'ble Member

C.C. No.143/2019**Complainants**

- 1 Roshan Jose S/o Jose, aged 34 of Puthusseril House, Kannur Areekkamaia PO, Kuniyanpuzha, tha, Chemberi Village, Kar District, Kerala State, now residing at Via Adolfo- Vital-74, Conegliano, Treviso, Italy Represented by his power of attorney holder Shaly Jose D/o Jose aged 45, residing at Puthusseril House, Areekkamala PO, Kuniyanpuzha, Chemberi Village, Kannur District
2. Ron Roshan S/o Roshan Jose, aged 6 (minor) of Puthusseril House, Areekkamala PO, Kuniyanpuzha, Chemberi Village, Kannur District, Kerala, now residing at Via Adolfo- Vital-74, Conegliano, Treviso, Italy represented by his NEXT FRIEND Shaly Jose D/o Jose aged 45, residing at Puthusseril House, Areekkamala PO, Kuniyanpuzha, Chemberi Village, Kannur District.
- 3 Reyn Roshan S/o Roshan Jose, aged i (minor) of Puthusseril House, Areekkamala PO, Kuniyanpuzha, Chemberi Village, Kannur District, Kerala, now residing at Via Adolfo- Vital-74, Conegliano, Treviso, Italy represented by his NEXT FRIEND Shaly Jose D/o Jose aged 45, residing at Puthusseril House, Areekkamala PO, Kuniyanpuzha, Chemberi Village, Kannur District.

(By Adv.S.Asokan, S Asokan & Associates, Thodupuzha)

Vs.

Opposite party

Qatar Airways represented by its Branch Manager, Le-Meridian, Mezzanine Floor, Maradu PO, Kochi, Ernakulam District, Kerala State, India

(OPS Rep by Adv.Philip T.Varghese, T.D.Road, Ernakulam, Cochin-682 011)

FINAL ORDER**V.Ramachandran, Member****1) A brief statement of facts of this complaint is as stated below:**

This consumer complaint is filed by Sri. Roshan Jose, Ron Roshan and Reyn Roshan against M/s.Qatar Airways alleging deficiency of service and unfair trade practice from the side of the opposite party.

2. The complainants states that the first complainant is working in Italy and his wife is also working there. The first complainant holds a family visa in which the name of the complainant, his wife Vinaya and the 2nd complainant alone are included. The second and third complainants are their minor children. All the complainants are having valid Indian passport. The first complainant is having a family visa in which the name of Reyn Roshan, the third complainant is not included since it is under process (permesso soggiorno in attesa) and the authorities had issued a receipt for that which is being accepted as a travel document. The first complainant along with family scheduled a visit to his native place during the period from 20-11-2018 to 03-12-2018. Accordingly the first complainant availed flight tickets for onward and return journeys from Venice to Kochi and back for the whole family in the airlines operated by the opposite party. As per the E-Ticket receipts, complainants and the above said Vinaya were to travel in flight No QR126 from Venice to Doha on 20-11-2018 and from Doha by flight No QR514 on 21-11-2018 and they were to return by flight No.QR517 from Kochi to Doha and from Doha to Venice by flight No.QR125 on 03-12-2018 and produced the E-Ticket receipts No-157 2494738080, 157 2494738083, 157 2494738111 and 157 2494738081 issued by the opposite party in favour of the complainants and the above said Vinaya.

3. As per the scheduled travel plan complainants along with the above said Vinaya reported before the check in counter of the opposite party at Venice airport on 20-11-2018 and duly submitted the E-Ticket receipts and the travel documents. The officials of the opposite party duly verified and accepted the E-Ticket receipts and the travel documents and issued boarding

pass to all of them and they travelled from Venice to Doha on 20-11-2018 in flight No QR126 and from Doha to Kochi in flight No QR514 on 21-11-2018. During the entire onward journey no objections were raised by the officials of the opposite party either at Venice or at Doha airports.

4. The scheduled date of return journey was on 03-12-2018. The complainants along with the above said Vinaya duly reported before the check in counter of the opposite party in the Kochi International airport on 03-12-2018 and submitted the E-Ticket receipts and travel documents. During the check in process, the officials of the opposite party requested the complainants and the above said Vinaya to wait for verification of travel documents. Complainants and the above said Vinaya were made to wait for long 2½ hours without offering any reasons. The long wait at the airport with the two little minor children was a strenuous experience. Since the departure time was nearing, complainants frequently queried about their traveling status. Thereupon, the officials of the opposite party explained that they are awaiting mail confirmation from both Qatar and Venice airports to verify the travel documents of the minor complainants 2 and 3.

5. At last, just 10 minutes before the departure time, second complainant was denied boarding pass for lack of independent VISA (Soggiorno) and boarding passes were issued to the first complainant, his wife Vinaya and the third complainant for travel from Kochi to Doha and from Doha to Venice.

6. The unexpected denial of boarding pass to second complainant, that too at the eleventh hour was a real shock to the family. The second complainant is a first standard student of G. Pascoli Primary School, Conegliano, Italy. Since the school was scheduled to re-open on 04-12-2018, the denial of boarding

pass to the second complainant was sure to affect his studies detrimentally. Even though first complainant tried his level best to convince the officials of the opposite party regarding the eligibility of the second complainant to get boarding pass and the consequences arising out of the denial of the same, that all went in deaf ears.

7. Since the first complainant and his wife Vinaya were to join for duty on 05-12-2018 they were constrained to entrust the minor second complainant Ron Roshan under the custody of their family members, who had accompanied them up to the airport to see off them and first complainant, his wife Vinaya and the third complainant boarded the flight.

8. As scheduled first complainant, his wife Vinaya and the third complainant alighted in Doha airport at 06.00 hrs on 03-12-2018 by flight No-QR517. The departure time of the scheduled transit flight No-QR125 to Venice was 08.00 hrs on 03-12-2018. Accordingly, first complainant, his wife Vinaya and the third complainant duly reported before the check in counter of the opposite party at Doha airport and presented the boarding passes to Venice, which they had already obtained from the check in counter of the opposite party at Kochi International airport along with the enabling travel documents.

9. Since first complainant his wife and the third complainant had already obtained boarding pass after due verification at Kochi airport, they were only to be allowed to board the transit flight as scheduled. However, the officials in the check in counter of the opposite party at Doha airport arbitrarily disallowed them from boarding the flight holding that the verification process is under way.

10. There was no immediate end for the so called verification process and it went on for hours. In the meanwhile, the scheduled transit flight took off without boarding the first and third complainants and the above said Vinaya.

11. It was a harrowing experience to wait at the strange airport at Doha, that too, with a 10 months old baby. Initially no lounge facility was allowed and it was after tremendous protest that the same was allowed. After about 10 hours they were informed that the third complainant will not be allowed to board the flight and they were directed to take a decision regarding their readiness to board the flight without the 10 months old third complainant, which conduct is inhumane. Even though the first complainant tried his level best to convince the officials of the opposite party regarding the eligibility of the third complainant to board the flight, especially since the opposite party had already issued boarding pass for the third complainant from Doha to Venice as well from Kochi itself, that too after due verification of the very same travel documents by their own officials, that all went in deaf ears.

12. Since Vinaya had to report for duty on 04-12-2018, it was decided that Vinaya alone will fly to Venice and that the first complainant will return to Kochi along with the third complainant.

13. In the meanwhile, the scheduled transit flight from Doha to Venice had already taken off. Vinaya had no other choice but to stay back waiting all alone in the strange airport for the next transit flight to Venice, which was on 04-12-2018. Thus Vinaya could reach Venice only on 04-12-2018. Since Vinaya's reporting time had already elapsed, she was burdened with the liability to avail additional leave.

14. After entrusting third complainant with his parents in the native first complainant returned to Venice in another flight at his own cost. First complainant was constrained to obtain separate VISA for the second complainant and to take him back to Venice on 01-01-2019 availing air hostess service, all at his own cost incurring monetary loss. Second complainant was unnecessarily prevented from attending his classes from 04-12-2018 to 21-12-2018 and he has suffered heavy damages on account of the same.

15. Third complainant continued in the native under the care and custody of the first complainant's parents and hence first complainant is unnecessarily saddled with the liability to undertake additional journey to his native and back so as to take the third complainant back to Venice, incurring heavy monetary loss and at last he was also taken back to Venice on 18-02-2019.

16. It is highly reprehensible that the third complainant who is only 10 months old had the misery to be retained in the airport for more than 10 hours, that too without any valid reasons. It is gruesome that the third complainant, who is a breast feeding child, was not allowed to board the flight along with his mother despite holding boarding pass, without any rhyme or reason. The fact that as a result of the unexpected denial of travel permission to the third complainant, first complainant was unnecessarily burdened with the liability to abandon his journey by the transit flight and to return to his native midway, so as to entrust the third complainant with his parents, despite holding ticket and boarding pass, are matters of serious concern. The unexpected change in the travel plan made it impossible for the first complainant to report for duty as scheduled and he was constrained to take additional leave. Since the

complainants 2 and 3 were not allowed to travel along with their mother they have lost the company of the mother for several days in succession. The damages arising out of the same is far beyond imagination especially since the complainants 2 and 3 are in tender years and since the third complainant is a breast feeding baby hardly aged 10 months. The first complainant was unnecessarily burdened with the liability to take additional journeys to return and bring back the complainants 2 and 3 incurring heavy damages. The Kochi airport is situated at a distance of more than 320 Kilometers from Chemberi in Kannur District, the native place of the first complainant. First complainant had to avail to and fro taxi facility for such additional journeys. Similarly first complainant had to avail taxi facility from Venice Airport to their residence at Conegliano as well.

17. Having issued to and fro tickets and onward boarding passes accepting the travel documents mentioned above and having allowed the onward journey, the opposite party ought to have allowed the scheduled return journey as well.

18. In any view of the matter since boarding pass from Kochi to Doha and Doha to Venice had been issued in favour of the third complainant accepting the travel documents mentioned above, from the Kochi airport itself, the third complainant ought to have been allowed to board the scheduled transit flight from Doha to Venice along with his mother.

19. Had the opposite party rejected the travel documents second and third complainants at the first instance, the scheduled travel plan would have been changed and second and third complainants would have avoided the scheduled journey. However, the officials of the opposite party, who were on

duty in Venice airport accepted the travel documents and allowed the onward and return journey.

20. Similarly, had the officials of the opposite party at Kochi airport disallowed the boarding pass, the third complainant would not have travelled up to Doha. Acceptance and rejection of the very same travel documents by the opposite party and the unwarranted consequences arising out of the same as narrated above in detail tantamount to grave deficiency of service from the part of the opposite party.

21 **Notice**

Upon notice from the Commission, the opposite party entered into appearance and filed version.

22. **Version of the opposite party**

The opposite party stated that it was an implied reciprocal promise that every passenger who purchases a tickets that he/she shall always conduct himself/herself as per the law applicable to him/her in respect of his travel. In this regard the passenger is duly required to carry an appropriate travel documents including a valid visa which will permit his/her to travel across International borders. It is also submitted that the passenger is supposed to follow his itinerary as provided by the airline company.

23. On 03.12.2018 the complainants/passengers and Mrs.Vinaya Kizhakkelgeorge bearing Ticket No.157-2494738080, 1572494738083, 157 2494738111 and 157 2494738081 with PNR. VELOAN were travelling through a Non-Stop flight from Venice to Cochin with a stop at Doha.

24. That the Complainants/Passengers and Mrs. Vinaya Kizhakkalgeorge completed his one way journey from Venice to Cochin via Doha on 21/11/2018 in flight no. QR 126 from Venice to Doha and QR 514 from Doha to Cochin.

25. That the Complainants/Applicants have a confirmed return ticket on 3 December, 2018 from Cochin to Venice via Doha in flight no. QR517 from Cochin to Doha and Doha from Venice in flight no. QR125 with the same E-ticket number herein mentioned above.

26. That the said Complainants/Applicants have reached the check-in counters on 03rd December 2018 to board their return journey i.e. from Cochin to Venice via Doha which was scheduled at the time of booking.

27. That during the checking formalities and document verification done by the representatives of the Qatar Airways Mr. Reyn Roshan (child) was declined to travel on flight QR 517 on 3rd December 2018 as the Complainant no. 2 did not hold separate visa and was declined to travel as per instructions from Venice Airport.

28. That the Opposite party was barred by the instructions given by the Venice airport and the immigration department of Venice and Doha.

29. That the infant Mr. Reyn Roshan i.e., Complainant no. 3 was unable to travel on flight QR 125 on 4th December 2018 from Doha-Venice as Complainant No. 3 did not hold valid visa for himself to travel to Italy as per the requirement of Immigration Authorities of Italy.

30. That it is customers/passenger's sole responsibility to ensure they have the correct documents and visas for their transit and final destination. failure to

do so. Qatar Airways the answering Opposite party assumes no liability for your failure to do so.

31. That the Qatar Airways (Opposite Party) Doha airport team checked with Venice airport and coordinated with the immigration department of Venice to obtain exceptional OK TO BOARD, though the same was declined. Hence the Complainant No. 1 was returned back with Complainant no. 3 (Infant) to Kochi.

32. That the complainant no. 1 and 3 was return back to Venice in flight no. QR 516 on 3rd December 2018 to Cochin.

33. the 4th passenger i.e. Mrs. Vinaya said Complainant no. 1 wife had travelled as per itinerary COK-DOH-VCE on 3rd December 2018.

34. That the opposite Party was barred by the various treaties and convention as it is a standard way of practice of various airlines operating internationally.

35. It is also pertinent to mention here that as per Article 9 of the General Conditions of Carriage (Hereinafter referred as "the code issued by international airlines Association") that the Passengers can be denied boarding and refusal to transport if, "The Passengers attempt to enter the territory of a country without valid travel documents"

36. That it is customers/passenger's sole responsibility to ensure they have the correct documents and visas for their transit and final destination. Qatar Airways the answering Opposite party assumes no liability for the failure to do so.

37 That the Qatar Airways (Opposite Party) Doha airport team checked with Venice airport and coordinated with the immigration department of Venice to

obtain exceptional OK TO BOARD, though the same was declined. Hence the Complainant No. 1 was returned back with Complainant no. 3 (Infant) to Kochi.

xii. That the complainant no. 1 and 3 was return back to Venice in flight no. QR 516 on 3rd December 2018 to Cochin.

38. That the 4th passenger i.e. Mrs. Vinaya said Complainant no. 1 wife had travelled as per itinerary COK- DOH-VCE on 3rd December 2018.

39. That the opposite Party was barred by the various treaties and convention as it is a standard way of practice of various airlines operating internationally. The version of the opposite party is summarized as above.

40. **Evidence**

The complainant produced Exbt.A1 to A19 documents and PW1 and DW1 are examined in box.

Exbt.A1	Copy of VISA (Permesso di soggiorno)
Exbt.A2	Copy of VISA (Permesso di soggiorno) and passport copies
Exbt.A3	Certificate of entry of birth of an Indian Citizen. Birth within the area of jurisdiction of the Embassy
Exbt.A4	Copy of an Italian document
Exbt.A5	E-ticket (copies)
Exbt.A6	Copy of e-ticket
Exbt.A7	Air tickets issued by Qatar Airways
Exbt.A8	Air tickets issued by Qatar Airways
Exbt.A9	Air tickets issued by Qatar Airways
Exbt.A10	Air tickets issued by Qatar Airways
Exbt.A11	Air tickets issued by Qatar Airways
Exbt.A12	Boarding pass
Exbt.A13	Boarding pass

- Exbt.A14 Letter sent by the complainant.
- Exbt.A15 Letter sent by the opposite party
- Exbt.A16 Power of Attorney
- Exbt.A17 Copy of passport of Roshan
- Exbt.A18 An Italian document of Reyn
- Exbt.A19 Copy of Indian passport

41. The following are the points to be analysed and decided in this complaint to come into a genuine judicial inference of the complaint.

- (i) Whether the complainants have sustained to any sort of deficiency of service or unfair trade practice from the side of the opposite party?
- (ii) If so, whether the complainants are entitled to get any quantum of compensation from the side of the opposite party?
- (iii) Cost of the proceedings if any?

42. Point No.(i)

The Commission has made a very thorough probe into the overall aspect of the complainant and seen that there is no dispute regarding the travel made by the complainants in this regard.

43. As regards to the alleged deficiency of service and unfair trade practice, the Commission evaluated the subject matter from the following aspects.

44. First complainant along with his family scheduled a travel plan from Italy to his native in Kerala on 20-11-2018 and back to Italy on 03-12-2018. Accordingly the first complainant availed flight tickets for onward and return journeys from Venice to Kochi and back for the whole family in the airlines operated by the opposite party.

45. The officials of the opposite party duly verified and accepted the E-Ticket receipts and the travel documents and issued boarding pass to all of

them and they travelled from Venice to Doha on 20-11-2018 and from Doha to Kochi on 21-11-2018. During the entire onward journey no objections were raised by the officials of the opposite party either at Venice or at Doha airports.

46. While returning to Italy on 03-12-2018, complainants along with the above said Vinaya duly reported before the check in counter of the opposite party in the Kochi International airport and waited for verification process Just 10 minutes before the departure time, second complainant was denied boarding pass for lack of independent VISA (Soggiornoj and boarding passes were issued to the first complainant, his wife Vinaya and the third complainant for travel from Kochi to Doha and from Doha to Venice. Since the first complainant and his wife Vinaya were to join for duty on 04-12-2018 they were constrained to entrust the minor second complainant Ron Roshan to the custody of their family members, who had accompanied them up and to board the flight and reached Doha.

47. At Doha airport they were again subjected to verification and this time the third complainant was denied boarding pass despite having boarding pass issued from Kochi airport after due verification. Since above said Vinaya had to join duty she was constrained to proceed further journey and first complainant had to return to native along with the third complainant spending huge amounts for the same.

48. First complainant returned to Italy after leaving the third complainant in the native with relatives, spending additional sums on ticket purchase. Second complainant was later taken to Italy by availing air hostess service spending additional amounts.

49. First complainant had to make an additional visit to the native by spending additional amounts for taking the third complainant back to Italy.

50. While going through the deposition of 'PW1' it can be seen that the following were deposed by the complainant:

Q. Is it correct to say that your complaint also make a claim for compensation on behalf of your wife Vinaya?

Ans. Yes. The issue affects the total family.

Q. Is it correct to say that the complainant No.3 did not have a valid visa to travel to Italy as per immigration authorities of Italy's resumed.

Ans. Not correct

Q. Is it correct to say that securing visa to travel is not the responsible of Airline"

Ans. Yes.

Q. Is it correct to say that Airline cannot permit any person to travel without a valid visa.?

Ans. Yes

Q. Did you have a travel insurance, for yourself and other complainant travelling with you?

Ans. No

Q. Have you filed a claim with your travel insurance.....

Ans. Not applicable.

Q. Is it correct to say that 2nd complainant travel back to Italy with independent Visa?

Ans. No he already had a visa

Q. Have you provided any supporting documents to prove Financial loss caused to you and your family?

Q. Is it correct to say that you and yourself responsible to not securing proper valid visa for your children to travel?

Ans. No. they had valid visa.

51. The 'DW1' Sri.Bijeesh Bahuliya in his deposition stated as follows:

Q. version ഫയൽ ചെയ്തിരിക്കുന്നത് എതിർകക്ഷിയുടെ commercial manager west India ആയിട്ടുള്ള Mustafa Khambaly ആണ്.

Ans. അതെ

Q. താങ്കളെ ഈ കേസിൽ authorize ചെയ്തിരിക്കുന്നത് എതിർകക്ഷിയുടെ Regimal Cargo Operations Manager ISC ആയിട്ടുള്ള Mr.Denzil Dominic D'souza ആണ്.
Ans അതെ

Q. ഈ authorization പ്രകാരം ഈ കേസിൽ മൊഴി നൽകുന്നതിന് authorization ഇല്ല.
Ans എന്റെ അറിവ് പ്രകാരം ഉണ്ട് എന്നാണ് തോന്നുന്നത്

Q. താങ്കൾക്ക് ഈ കേസിൽ എതിർകക്ഷിക്കു വേണ്ടി മൊഴി നൽകുവാൻ അധികാരം ഇല്ല എന്ന് പറയുന്നു
Ans ശരിയല്ല

പരാതിക്കാരനും ഒന്നാം പരാതിക്കാരന്റെ ഭാര്യ വിനയ എന്നിവർ 20/11/2018 തീയതി വെനീസിൽ നിന്ന് ദോഹയിലേക്കും 21/11/2018 തീയതി ദോഹയിൽ നിന്ന് കൊച്ചിയിലേക്കും എതിർകക്ഷിയുടെ Flight-ൽ യാത്ര ചെയ്ത കാര്യം നിഷേധിക്കുന്നില്ല.

53. Exbt.s A1, A1 (a), A2 shown to the witness

Q. ഈ രേഖകൾ പ്രകാരം അല്ലെ പരാതിക്കാരും ശ്രീമതി വിനയയും വെനീസിൽ നിന്ന് കൊച്ചിയിലേക്ക് യാത്ര ചെയ്തത്
Ans. അല്ല.

Q. പ്രസ്തുത രേഖകൾ പ്രകാരം 'അല്ല' എന്നാ കാര്യം താങ്കൾ കളവു പറയുക ആണ് എന്ന് പറയുന്നു
Ans ശരിയല്ല witness add ഇവർ ഇന്ത്യ പൗരന്മാർ ആയതു കൊണ്ട് Indian passport മാത്രം മതി എന്നാണ് ഉദ്ദേശിച്ചത്

Q. പരാതിക്കാരും വിനയയും 3/12/2018 തീയതി കൊച്ചിയിൽ നിന്നും ദോഹയിലേക്ക് പോകാനായി QR517 ഫ്ലൈറ്റ് ഉം ദോഹയിൽ നിന്ന് വെനീസിലേക്കു പോകാനായി QR125 flight ലും ടിക്കറ്റ് book ചെയ്തിരുന്നു
Ans ശരിയാണ്

54. Exbt.A3 to A6 shown to the witness:-

ഈ രേഖകൾ air ticket ആണ്

Q. ഒന്നാം പരാതിക്കാരന്റെ ഫാമിലി വിസ ആണ് Exbt..A1 എന്ന് പറയുന്നു

Ans. Family visa അല്ല. witness Add Permanent Resident card ആണ്

Exbt A1 ഒന്നാം പരാതിക്കാരന്റെയും A1 (a) Reyn Roshan ന്റെയും A2 Vinaya എന്നിവരുടെയും ആണ്.

Exbt.A18 shown to the witness

ഈ രേഖ പരാതിക്കാരന്റെ Resident Permit Card ആണ്

55. Exbt.A17 shown to the witness

Q. പരാതിക്കാരന്റെ 2019 വരെ കാലാവധി ഉള്ള Resident Permit card അന്ന് എന്ന് പറയുന്നു.

Ans കാർഡ് അല്ല

Q. പരാതിക്കാരന്റെ വിസ under process ആണ്

Ans അതെ. acceptable document ആണ്

Q. 3.12.2018 തീയതി 1st and 3rd complainants and വിനയയും ദോഹ വരെ (കൊച്ചിയിൽ നിന്നും) എതിർക്കുകയുടെ ഫ്ലൈറ്റിൽ യാത്ര ചെയ്തു എന്ന് പറയുന്നു.

Ans ശരിയാണ്

Q. പരാതിക്കാരനെ ദോഹയിൽ നിന്ന് യാത്ര ചെയ്യുവാൻ /യാത്ര തുടരുവാൻ അനുമതി കൊടുത്തില്ല. ആയതു കാരണം പരാതിക്കാരനെ യും കുട്ടി ഒന്നാം പരാതിക്കാരൻ കൊച്ചിയിലേക്ക് മടങ്ങി വരേണ്ടി വന്നു എന്ന് പറയുന്നു.

Ans അതെ.

56. FINDINGS

Upon a careful consideration of the pleadings, the oral and documentary evidence on record, and the documents produced by both parties, this Commission finds that the complainant, along with his wife and children, had travelled to India from their place of residence abroad during the course of their expatriate life to be with their family. It is an admitted fact that the opposite party had permitted the complainant, his wife and the infant children to travel from Venice to Doha and thereafter to Kochi on its aircraft without raising any objection whatsoever regarding the travel documents of the infant.

57. However, at the time of the return journey from India, the opposite party refused to permit the infant, Master Reyn Roshan, who was barely six years old, to travel along with his parents on the alleged ground that he did not possess the requisite travel documents. The conduct of the opposite party in preventing a child from accompanying his parents on the return journey is wholly arbitrary and has shocked the conscience of this Commission. The

opposite party has not allowed the travel of the 3rd complainant from Doha even after granting permission to travel from Kochi to Venice.

58. If the travel documents of the infant, were not sufficient for international travel, the opposite party ought not to have permitted the children to undertake the onward journey from Venice in the first instance and also not have permitted to return from Kochi to Doha. Having allowed the infant to travel from Venice to India, the subsequent refusal of permit for the return journey from India on the very same set of documents is patently inconsistent, unjustified and highly reprehensible.

59 Having issued to and fro tickets and onward boarding passes accepting the travel documents mentioned above and having allowed the onward journey, the opposite party ought to have allowed the scheduled return journey as well.

60. In view of the above, since boarding passes from Kochi to Doha and Doha to Venice had been issued in favour of the third complainant accepting the travel documents mentioned above, from the Kochi airport itself, the third complainant ought to have been allowed to board the scheduled transit flight from Doha to Venice along with his mother.

61. The materials on record further reveal that, apprehending the loss of their employment abroad, the complainant and his wife were left with no option but to entrust their children including an infant of lactation to the care of their relatives in India and proceed on their return journey without him. The mental agony, emotional trauma and untold hardship suffered by the parents were the direct and inevitable consequence of the wrongful conduct of the opposite party.

62. This Commission has no hesitation in holding that the action of the opposite party in permitting the infant to travel to India while refusing permission for the return journey on the very same travel documents amounts to a clear deficiency in service as well as an unfair trade practice. The same applies to the complainant No. (2) as well. The complainants have, by cogent and convincing evidence, succeeded in establishing the allegations levelled in the complaint, and the complaint accordingly deserves to be allowed. Therefore the following orders are issued.

ORDER

- 1) The opposite party shall pay an amount of Rs.10,00,000/- (Rupees Ten Lakh only) to the complainants as compensation for the mental agony and hardship suffered by them.
- 2) The opposite party shall also pay an amount of Rs.25,000/-(Rupees Twenty Five Thousand only) towards the cost of the proceedings to the complainants.

The above amounts shall be paid by the opposite party to the complainants within 45 days from the date of receipt of a copy of this order. Failing which the amount ordered as per orders (1) above shall attract interest @ 9 % from the date of filing of the complaint till the date of realization.

Pronounced in the Open Commission this 14th day of July 2026.

Sd/-
V.Ramachandran
Member

Sd/-
D.B.Binu
President

Sd/-
Sreevidhia.T.N
Member

Forwarded by Order

Assistant Registrar

APPENDIX

Complainant's Documents

- Exbt.A1 Copy of VISA (Permesso di soggiorno)
- Exbt.A2 Copy of VISA (Permesso di soggiorno) and passport copies
- Exbt.A3 Certificate of entry of birth of an Indian Citizen. Birth within the
area of jurisdiction of the Embassy
- Exbt.A4 Copy of an Italian document
- Exbt.A5 E-ticket (copies)
- Exbt.A6 Copy of e-ticket
- Exbt.A7 Air tickets issued by Qatar Airways
- Exbt.A8 Air tickets issued by Qatar Airways
- Exbt.A9 Air tickets issued by Qatar Airways
- Exbt.A10 Air tickets issued by Qatar Airways
- Exbt.A11 Air tickets issued by Qatar Airways
- Exbt.A12 Boarding pass
- Exbt.A13 Boarding pass
- Exbt.A14 Letter sent by the complainant.
- Exbt.A15 Letter sent by the opposite party
- Exbt.A16 Power of Attorney
- Exbt.A17 Copy of passport of Roshan
- Exbt.A18 An Italian document of Reyn
- Exbt.A19 Copy of Indian passport

Date of dispatch

By Hand ::

By Post

uk