

BEFORE DISTRICT CONSUMER DISPUTES REDRESSAL COMMISSION
SHIMLA (H.P.)

Complaint No.: 124/2025
Presented on: 26.05.2025
Decided on: 21.07.2026

Smt. Pratima Chauhan wife of Shri Vineet Chauhan,
R/O Sai Sadan, Opposite Westend Apartments, Lower
Bhrari, Shimla, HP.

....Complainant

Versus

Reliance Jio Fiber through its Branch Manager
Shri Vikram Tomar, Rathore Business Center,
BCS, Main Road, Shimla, HP-171009.

....Opposite Party

Coram :

Dr. Baldev Singh, President
Ms. Nidhi Sharma, Member

For the Complainant: Mr. Sachin Sunail, Advocate
For the Opposite Party: Mr. Raj Negi, Advocate

ORDER:

Present complaint has been filed by Smt. Pratima Chauhan (hereinafter referred to as the complainant) under Section 35 of the Consumer Protection Act, 2019 (hereinafter referred to as the Act) against Reliance Jio Fiber (hereinafter referred to as the OP), on account of deficiency in service and unfair trade practice, seeking relief therein that the OP be directed to immediately restore the Jio Fiber connection of complainant, to extent the service period without any additional cost, to pay ₹1,00,000/- as compensation on account of mental harassment and agony and to pay ₹25,000/- as litigation charges.

2. Briefly, the facts as emerge from the complaint are that the complainant has availed the services of OP against ID No.177313431 by making advance payment ₹2,824.92/- for recharge on 2nd March, 2025 for a period of six months. It is further stated that the complainant was active user of Jio Fiber

services of OP and the recharge mentioned above was made for using internet services for her academic and daily purposes. It is also stated that on 09.04.2025 the services of OP disrupted and in this regard, the complainant lodged online complaint and received message that the issue will be resolved. It is further stated that the issue was not resolved and the complaint was cancelled. It is further stated that on 11.04.2025 the complainant received call from one Mr. Lakhan Rathore, an official of OP, and in the evening the said Mr. Lakhan Rathore visited the house of complainant and found breakage in the Jio Fiber wire and assured that same will be replaced. It is also stated that the said person told the complainant that the wire was lying in the vehicle and he would return within 10-15 minutes to complete the repair, but he did not turn up back after giving assurance. It is further stated that on 13.04.2025 the said person asked the complainant on telephone whether the issue has been resolved or not, to which, the complainant replied that wire was not replaced as was assured on 11.04.2025. It is further stated that the said Mr. Lakhan Rathore told the complainant that he will visit the house of complainant on 14.04.2025, but said Mr. Lakhan Rathore neither visited the house of complainant nor he responded the call of the complainant. It is also stated that the complainant again lodged online complaint and received message that the issue will be resolved, but the same was not resolved and the complaint was cancelled on 19.04.2026. It is further stated that every time when the complaint was lodged by the complainant the message was received that issue will be resolved, but the grievance of complainant was not redressed by the OP. It is further stated that one time the OP told the complainant that Engineer Ajay Kumar will attend the complaint of complainant being technician, but he never visited the house of complainant. It is further stated that the situation remained as it is even after filing of complaint and grievance of complainant was not redressed by the OP and as such, the complainant was compelled

to file this complaint before this Commission against OP on the grounds of deficiency in service and unfair trade practice on the part of OP. Hence, this complaint. It is prayed that the complaint may be allowed as prayed for.

3. After admission of complaint, notice was issued to the OP and it (OP) contested the complaint by filing its reply, wherein, number of preliminary objections were taken and on merits, it is stated that the complainant has made advance recharge of ₹2,824.92/- on 02.03.2025 for a period of six months at her own. It is also stated that when the Jio Fiber services of complainant disrupted on 09.04.2025 then the complainant lodged online complaint and the complainant was assured on behalf of OP that the issue will be resolved, but without waiting for resolution of issue, the complainant cancelled the complaint on 10.04.2025. It is also stated that the OP is a reputed company and provides the services to large number of customers and used to resolve the issue as and when received. It is also stated that when the complainant at her own level has cancelled the complaint then there arises no question of deficiency in service. It is further stated that the complainant on each occasion without waiting for redressal of her grievance has cancelled the complaints. It is further stated that the OP number of times made attempts to contact the complainant, but she remained not reachable. It is also stated that Mr. Lakhan Rathore, who visited the house of complainant and resolved the issue, is no more employee of OP because he has left the organization of OP. It is also stated that the grievance of complainant has been duly resolved by the OP and the complainant is continuously enjoying the service of Jio Fiber till date and the present complaint has been filed by the complainant against replying OP without any cause of action. It is further stated that for the act and conduct of the complainant, the OP cannot be blamed. It is also stated that as the issue has been resolved, therefore, there is no deficiency in

service and unfair trade practice on the part of OP. Hence, prayer is made to dismiss the complaint in the interest of justice.

4. Rejoinder to the reply of OP filed by the complainant, wherein the allegation made in the complaint re-asserted and re-affirmed and those made in the reply of OP were denied and refuted.

5. The parties have adduced evidence in support of their respective contentions. On behalf of complainant, affidavit of complainant Smt. Pratima Chauhan was tendered in evidence. The complainant has also filed documents Annexure C-1 to Annexure C-6 in support of her contentions. On behalf of OP, affidavit of Mr. Yash Mittal was tendered in evidence. OP has also filed document Annexure R-1 in support of its contentions.

6. We have heard learned counsel(s) for the parties and also gone through the entire record carefully.

7. After hearing the submissions made by Ld. Counsel(s) for the parties and perusing the entire record carefully including pleadings and evidence on record, it is clear that the complainant is consumer of OP and OP is service provider so far Jio Fiber services of OP are concerned, which are being used by the complainant. It is also clear that the complainant made recharge of ₹2,824.92/- on 02.03.2025 for a period of six months as this fact has also been admitted by the OP in its reply. The only dispute in this matter is whether the repeated complaints of the complainant regarding interruption of Jio Fiber services have been redressed by the OP or not. The plea of complainant is that she number of time lodged complaints and every time message was received that issue will be resolved, but as per plea of complainant the issue was not resolved. It is further the plea of complainant that one time Mr. Lakhan Rathore visited the house of the complainant, but the issue was not resolved and thereafter no one attended the complaint of complainant.

8. The plea of OP, on the other hand, is that no doubt, the complainant lodged complaints regarding her grievance, but

she used to cancel the same time and again. It is further the plea of OP that the grievance of complainant has been redressed and she is continuously enjoying the Jio Fiber services without any interruption.

9. Meaning thereby that it is clear from record that there was some issue with Jio Fiber services of OP, which were being used by the complainant. The specific allegation of complainant is that she made complaint number of time on the dates as mentioned in the complaint as well as documents Annexure C-1 to Annexure C-6 Annexed with the complaint, but the grievance of complainant was not redressed. However, the plea of OP is that the grievance of complainant has been redressed and she is continuously enjoying the Jio Fiber services without any interruption. Hence, it is for the OP to prove through evidence on record that the OP has redressed the grievance of complainant.

10. On behalf of OP, to prove its plea of defence, an affidavit of Mr. Yash Mittal, who is working as State Finance Head Authorized Signatory, has been filed along with a document Annexure R-1 regarding details of complaints lodged and cancelled by the complainant. The affidavit of Mr. Yash Mittal, State Finance Head coupled with document Annexure R-1 is not sufficient to prove the plea of defence taken by the OP that the grievance of complainant was redressed by the OP, reason being that the OP has to prove its plea of defence through some documentary evidence or by way of affidavit of technical person, who visited the house of complainant for resolving the issue, but no such evidence has been adduced on behalf of OP to prove its plea of defence. Hence, it can safely be presumed that the OP has failed to resolve the grievance of complainant and only then the complainant was compelled to file the present complaint against OP because the complainant has specifically alleged in the complaint that she number of times as per Annexure C-1 to Annexure C-6 lodged complaint to redress her

grievance, but her grievance was not redressed by the OP and so has also been asserted by the complainant in her affidavit by way of evidence, which evidence, the OP has failed to rebut. Accordingly, we are of the considered opinion that the complainant through evidence on record has been able to prove the deficiency in service and unfair trade practice on the part of OP so far the Jio Fiber services are concerned, for which, the complainant has made payment of ₹2,824.92/- for a period of six months. In other words, the complainant could not use the services of Jio Fiber, for which, she had made the payment of amount to the OP as mentioned above. Accordingly, the present complaint deserves to be allowed. The complainant is also entitled for compensation on account of mental harassment and agony along with litigation charges.

11. In view of the foregoing discussion and reasons assigned therein the complaint is ordered to be allowed and the OP is directed to redress the grievance of complainant by restoring the Jio Fiber connection free of charges so that the complainant can make use of the same without interruption. The OP is also directed to pay a sum of ₹10,000/- as lump sum compensation amount to the complainant on account of mental harassment and agony as well as litigation expenses. The OP is directed to comply this order within 45 days from the date of receipt of copy of the order. Pending application(s), if any, also stands disposed of. Copy of this order be supplied to the parties free of cost as per rule. The file after its due completion be consigned to the Record Room.

Announced on this the 21st day of July, 2026.

(Dr. Baldev Singh)
President

(Nidhi Sharma)
Member