

GOVERNMENT OF JAMMU & KASHMIR
DISTRICT CONSUMER DISPUTES REDRESSAL COMMISSION
KUPWARA

Coram: -

1. Peerzada Qousar Hussain
2. Ms Nyla Yaseen

..... President
.....Member

Consumer Complaint No: - 225/2025

Ahrar Dar

S/o Gh. Mohiudin Dar

R/o Jaggerpora, Handwara, Kupwara, J&K



(Complainant)

V/S

Peter England Showroom

1. No. 178-178A, Chandigarh Industrial Area, Business Park Phase-I, unit No. 132, 1st Floor, Elante Mall, Chandigarh-160002, Chandigarh.
2. Aditya Birla Fashion and Retail Limited Piramal Agastya Corporate Park, Building A, 4TH - 5th Floor, Unit Nos. 401,403,501,502, L.B.S Road, Kurla, Mumbai-400070.

..... (Opposite Parties)

Date of Institution: 03-07-2025

Date of Decision: - 23.07.2026

Appearing Counsel:

Adv. Muzamil for the Complainant

Nemo Present for OPs

JUDGEMENT

The instant application has been filed by the complainant before this commission on 03-07-2025 under the provisions of the Consumer Protection Act, 2019, alleging deficiency in service and unfair trade practice on the part of the opposite party, with the following prayer:

BRIEF FACTS

The complainant purchased a Peter England summer suit from the OP through online mode for a consideration of Rs. 8,827/- It is alleged that the complainant wore the said suit only on few occasions and, despite normal use over for the period of barely one month, he noticed that the colour of the suit had started fading, lost its brightness, and that the overall appearance and quality of the fabric had significantly deteriorated.

It is further alleged that the fading was not caused by any external damage, improper handling, or negligence of the complainant, but was attributable to the poor quality of the material used in the manufacturer of the product, thereby rendering it defective and unfit for the purpose for which it was purchased.

The complainant contacted the customer care department of the OP through e-mail and telephone communications. However, despite repeated follow-ups, the OP neither acknowledgeable the defect nor offered any replacement or refund. Left with no alternative, the complainant approached this commission seeking redressal of the grievance.

Notice was issued to the OP. However, despite due services, the OP failed to appear before this commission, file its written version within the stipulated period of time. Consequently, the OP was proceeded ex-parte.

The complainant led evidence by way of an affidavit and placed on record the purchase invoice, proof of payment, copies of e-mail, correspondence, and photographs depicting the defective conditions of the product.

Findings

We have heard the learned counsel for the complainant, perused the pleadings, as well as the evidence and, other documents produced.

Since it is established that the complainant purchased the product through online mode against the Rs. 8,827/-. The material placed on record shows that the product developed defects within a short period of its normal use. There is nothing on record to suggest that the damage resulted from misuse or negligence of the complainant.

The OP despite having been afforded sufficient opportunity, failed to contest the matter. Additionally, the conduct of the OP in failing to address the genuine grievance of the complainant, despite repeated requests, clearly amounts to deficiency in service and unfair trade practice in accordance with the provisions of the Consumer Protection Act-2019. Therefore, the Complainant is entitled to the appropriate relief.

ORDER

In view of the foregoing discussion, the complaint is allowed and disposed of with the following directions:

1. The OP is directed to refund the cost of the product, i.e Rs. 8827/- to the complainant.
2. The OP is further directed to pay Rs.50000/- as compensation for the mental agony. And harassment suffered by the complainant.

The OP shall comply with this order within a period of four (04) weeks from the date of receipt of a copy of this order, failing which the entire awarded amount shall carry interest @ 10% per annum from the date of order till its realisation.

Announced
23-07-2026

Myh
23/07/26
Member
District Consumer Disputes
Redressal Commission
Kupwara

Peerzada Qousar Hussain
23/07/26
PRESIDENT
District Consumer Disputes
Redressal Commission kupwara

A copy of this order be provided to the parties free of cost and the file be consigned to the records after due completion
Announced in open commission.