

**BEFORE THE DISTRICT COMMISSION-II  
AT VISAKHAPATNAM**

**Date of Registration of the Complaint: 27.05.2022**

**Date of Final hearing: 11.10.2023**

**Date of Pronouncement: 03.11.2023**

**CONSUMER CASE No.88/ 2022**

**In the Matter of:**

Penumasta Mounika Sravanthi, W/o Mudhunuri Pavan Kumar Raju, Hindu, aged 25 years, residing at D.No.4-39/3, 1<sup>st</sup> Lane, Sai Priya Gardens, Chandrapalem, Madhurwada, Visakhapatnam-530041.

(Through: Sri P. Sridhar)

...Complainant

**Versus:**

1. Vedix Customised Ayurvedic, represented by its Business Head G. Jatin Vedix Customised Ayurvedic, G-3, Ground Floor, Modern profound, Tech Park, Kondapur, Hyderabad, Telangana-500084.
2. Vedix Customised Ayurvedic, represented by its Head and General Manager, Dr. Kaustav Guha, G-3, Ground Floor, Modern profound, Tech Park, Kondapur, Hyderabad, Telangana-500084.
3. Vedix Customised Ayurvedic, represented by its Vice President, Marketing and Branding Anisha shah, G-3, Ground Floor, Modern profound, Tech Park, Kondapur, Hyderabad, Telangana-500084.

(Through: Opposite parties-1 and 2 are exparte  
& Opposite party-3 is dismissed)

... Opposite parties

**CORAM:**

Smt. G.Venkateswari, M.Sc, LLB., President, Smt. P.Vijaya Durga, B.Com, B.L., Women Member., Sri. Karaka Ramana Babu, M.Com, M.B.A., LL.B., Member

**P r e s e n t:**

1. Smt. G Venkateswari, M.Sc. LLB.,  
President
2. Smt. P Vijaya Durga, B.Com, B.L.,  
Women Member
3. Sri Karaka Ramana Babu, M.Com, M.B.A., LL.B.,  
Member

**JUDGEMENT**

**(As per Smt. P. Vijaya Durga, Honourable Women Member, on behalf of the Bench)**

**I.** The complainant has filed complaint under Section-35 of C.P. Act, 2019 against the opposite parties. To pay compensation of Rs. 4,00,000/- (Rupees four lakhs only) towards mental agony and sufferance and negligence of the opposite parties: For compensation of Rs.20,000/- (Rupees twenty thousand only) towards costs & consequences; and such other relief or reliefs.

**II. Brief facts of the complainant:**

a) The complainant has attracted by the Opposite Party's advertisement in which there were advertised their ayurvedic products to reduce for hair fall and to increase the

P.V.Durga.

length of hair and Opposite Party published false and fraudulent advertisement of vedix products through social media websites like Facebook, Instagram. The complainant contacted the Opposite Party through their website [www.vedix.com](http://www.vedix.com) and enquired about the item and impressed by their false statements of vedix team. In turn the team sent questionnaire regarding the health, weight texture and quantity of hair and health condition of complainant all questions were answered by the complainant.

b) Subsequently Opposite Party representatives have contacted and insisted the complainant to buy vedix products and explained their benefit of vedix hair products and promised to refund the amount, if their products does not work well they will return the amount to the complainant.

c) Believing his statements, the complainant ordered hair oil, hair serum and hair shampoo for one month on 07.08.2020 vide order No. 700025 and paid an amount of Rs.999/- (Rupees nine hundred and ninety nine only). While using the above products of Vedix their representatives asked to use for another five months. Then the complainant on 11.09.2020 ordered (vide 832785) and paid Rs. 2997/- (Rupees two thousand nine hundred and ninety seven Only) for the same products. Total she paid 3,996/- (Rupees Three Thousand Nine Hundred and ninety six)

d) Surprisingly while using it the hair fall started to increase and the hair got freeze and the hair became rough which is totally opposite what they have promised. Then the complainant informed about the hair loss through mails with Vedix @Vedix.intercom.mail.com and support @Vedix.com and made several phone calls to the team of vedix. The team of Vedix directed the complainant to use their products till November 2020 on their advice she continued to use the products but there was no improvement, the hair fall got increased. Then the complainant asked to refund the amount. The offered only partial amount of Rs.1198/- (Rupees one thousand one hundred and ninety eight only) to the complainant for the used products.

e) The complainant stated that he believed vedix products, on their advise she used hair vedix products for hair growth but after using their products she lost her healthy curly hair and became mild bold headed as 2/4<sup>th</sup> of her hair was lost. Due to this she could not face the society and suffered physically & mental agony. Further she stated that they are cheated innocent public by giving publicity gimmick.

f) Therefore, the complainant issued registered lawyers notice to this Opposite Parties demanding them to return the cost of the products & compensation. But there was no reply from Opposite Parties. There is no other go the complainant approached commission for redressal. Hence the complaint.

**III.** Commission served notice to Opposite Parties. Notice served to Opposite Party 1 & 2, counter was not filed by Opposite Party 1 & 2., Opposite Parties called absent 45

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days of mandatory period over. Hence Opposite Party 1 & 2 set ex-parte claim against Opposite Party 3 is dismissed as no steps were taken against Opposite Party 3.

**IV.** The complainant filed evidence affidavit, got the documents marked as Ex-A1 to Ex-A-7 and written argument in support of this claim.

**V. Issues:**

- i) Is there any deficiency in service on the opposite parties?
- ii) Is the complainant entitled for any relief asked for?

**VI. Discussion:**

a. The complainant has placed all the documents before the commission to prove her complaint. The complainant stated that she paid Rs. 999/-(Rupees Nine hundred and ninety nine only) on 07.08.2020 and Rs. 2,997/- 11-09-2020 with vide numbers 700025 & 832785 respectively, to prove the said fact the complainant filed Ex-A-1; Ex-A-2 are the photograph of the complainant shows that her lost a lot of hair Ex-A-3 is the Vedix brochure which shows how to use their products as per the broacher & advised by Vedic staff she used the products; accordingly Ex-A-4 are the photos; Ex-A-5 registered lawyer notice to the Opposite Party returned and refused as "no such person"; Ex-A-6 are the postal receipts, Ex-A-7 is the WhatsApp chat between complainant and the Opposite Party regarding hair loss.

b. The Opposite Party has not filed their version in this complaint. It is deemed they admitted the facts of the complaint.

c. When the complainant started using this hair products the hair fall started and continued to increase for months together. In the mean time that the complainant told about the hair fall, frizzy and rough hair to the Opposite Party. Then the Opposite Party team advised diet the same was followed by the complainant. In spite of following the diet prescribed by the Opposite Parties, hair fall is still continued. All these facts prove that the Opposite Party sold inferior quality of hair oils serum and shampoos etc. Thereby misleading the complainant. It amounts to unfair trade practice under Section 2(47) of Consumer Protection Act 2019.

d. The photos and WhatsApp chats of the complainant clearly proves that complainant has suffered severe hair loss and mild bold head due to this the complainant suffered mental agony and lost her self-confidence in being among the society.

e. Further the Opposite Party made false representation that the products are of particular standard and quality but it not up to the slandered and inferior quality amounts to false and misleading representation under Section 2 (28) of consumer protection Acts 2019 which defines "misleading advertisement" in relation to any product or service, means an advertisement, which

- (i) falsely describes such product or service; or

*P.V. Durgam*

- (ii) gives a false guarantee to, or is likely to mislead the consumers as to the nature, substance, quantity or quality of such product or service; or
- (iii) conveys an express or implied representation which, if made by the manufacturer or seller or service provider thereof, would constitute an unfair trade practice, or
- (iv) deliberately conceals important information;
- f) By trusting these advertisements, the complainant used their hair products but these are all false advertisements because of which the customers are misled.
- g) We are of the opinion the complainant has clearly established deficiency of service coupled with unfair trade practice. All the acts of the Opposite Parties clearly comes under deficiency of services, unfair trade practice and misleading advertisements under Section 2(11), (47) and (28) of consumer protection Act 2019, So Opposite Party cannot escape from the liability as such the complainant is entitled for compensation and cost of litigation.

**VII. Result:**

In the result, the complaint is allowed partly. The opposite parties are jointly and severally directed to pay an amount of Rs. 40,000/- (Rupees forty thousand only) towards compensation on account of deficiency of service coupled with unfair trade practice and also misleading advertisement for causing mental agony and severe inconvenience to the complainant by the opposite parties, Apart from Rs. 5,000/- (Rupees five thousand only) awarded as costs to the complainant. Time for compliance of this order is 45 days from the date of receipt of this order.

**VIII.** Applications pending, if any, stand disposed of in terms of the aforesaid judgement.

**IX.** A copy of this judgement be provided to all the parties free of cost as mandated by the Consumer protection Act 1986/2019. The judgement be uploaded forthwith on the website of the Commission for the perusal of the parties.

**X.** File be consigned to record room along with a copy of this judgement.

Dictated to the Stenographer, and transcribed by him, corrected and pronounced by us in the Open Commission, the 03<sup>rd</sup> day of November, 2023.

P.V. Durga.  
3/11/23  
Smt. P Vijaya Durga  
Women Member

Pronounced on: 03/11/2023

**Appendix of Evidence**


**For the Complainant:**

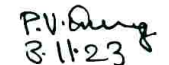
No	Date	Description of Documents	Remarks
Ex A-1	07.08.2020	Purchased bills of Vedix	Photostat Copy

Ex A-2	----	Pictures of Hair fall	Photo Copy
Ex A-3	----	Vedix Brochure	Original
Ex A-4	----	Photographs	Photo Copy
Ex A-5	----	Registered Lawyers Notice	Photostat Copy
Ex A-6	----	Postal Receipts	Original
Ex A-7	----	Vedix chart record	Photostat Copy

**For the Opposite parties: Nil**

  
3/11/23  
President

  
3/11/23  
Member

  
3-11-23  
W. Member