

DISTRICT CONSUMER DISPUTES REDRESSAL COMMISSION-II, U.T. CHANDIGARH

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Consumer Complaint No : 322 of 2021
Date of Institution : 27.05.2021
Date of Decision : 13.12.2023

Pancy Singh Soni D/o Parminderjit Singh, R/o House No.2064, Sector 69, S.A.S. Nagar, Mohali.

.....Complainant

Versus

1] Barista Coffee Company Limited, Head Office at 368-369, Sultanpur MG Road, New Delhi
(Through its Chief Operating Officer Rajat Aggarwal)

2] 2701, Sector 35, Chandigarh, Barista Coffee Company Ltd., SCO No.422, Sector 35-C,
Chandigarh 160036 (Through its Managing Directors)

..... Opposite Parties

BEFORE: SMT.SURJEET KAUR PRESIDING MEMBER

SH.B.M.SHARMA

MEMBER

Argued by :- Sh.G.K.Goyal, Counsel for the complainant.

Sh.Sanjeev Kumar, Authorized Representative of OPs

PER SURJEET KAUR, PRESIDING MEMBER

The case of the complainant concisely is that she on 18.12.2020 at around 12.25 PM visited the store of OP No.2 and placed order for Hot Chocolate R and received Bill worth Rs.230/- (Annexure C-1). It is stated that on getting the product as per order as well as bill, the complainant notices that the OPs have charged Rs.5/- for paper cup having name "BARISTA" and added it in the bill (Ann.C-2). The complainant agitated the charging of Rs.5/- for the paper cup, but the OPs did not pay any heed. Hence, this complaint has been preferred alleging the said act & conduct of the OPs as illegal, deficiency in service and unfair trade practice.

2] The OPs have filed joint written version and while admitting the factual matrix of the case, stated that the order placed against the alleged invoice was for Take Away and not for consumption at the Café of the OPs, therefore, for the purpose of additional expense towards packaging material, the OPs are absolutely justified in charging packaging charges. It is submitted that the complainant is in conspiracy and collusion with Mr.Virat Singh Rana, her brother and her father in filing false and frivolous complaints against the OPs

with mala-fide intentions and ulterior motives to extort money. Denying all other allegations, the OPs have prayed for dismissal of the complaint.

3] Parties led evidence in support of his contentions.

4] We have gone through the entire record including the written submissions filed by OPs.

5] At the very outset, it is pertinent to mention that the Id.Counsel for the OPs while admitting the fault on their part, as alleged in the complaint, stating that they have stopped such practices and fairly offered, on behalf of the OPs, to deposit a sum of Rs.10,000/- in Poor Patient Fund/Account of P.G.I., Chandigarh (Post Graduate Institute of Medical Education & Research, Chandigarh) and further to pay Rs.1000/- to the complainant, which in our concerted view is just & fair enough.

6] In view of the above, the present complaint, stands allowed with direction to the OPs No.1 & 2 to pay an amount of Rs.1000/- to the complainant in and also to deposit Rs.10,000/- in Poor Patient Fund/Account, P.G.I.M.E.R., Chandigarh.

The above said order shall be complied with by the Opposite Parties No.1 & 2 within a period of 60 days from the date of receipt of its copy.

Certified copy of this order be communicated to the parties as well as to The Director, P.G.I.M.E.R., Chandigarh, free of charge. After compliance file be consigned to record room.

Announced

13.12.2023

Sd/-

(SURJEET KAUR)

PRESIDING MEMBER

Sd/-

(B.M.SHARMA)

MEMBER