



- b. OPs were properly served and when OPs did not turn up before this Commission, despite proper service, they were proceeded against ex-parte on 7.12.2023.
2. In order to prove his case, complainant has tendered/proved his evidence by way of affidavit and supporting documents.
3. We have heard the learned counsel for the complainant and also gone through the file carefully.
- i. At the very outset, it may be observed that when it is an admitted case of the complainant that he had purchased articles/clothes from the OPs who had made offer on purchase of one article to get two articles of the same value or less value free and charged Rs.949/- vide invoice Exhibit C-2 from the complainant against the actual price of Rs.899/-, the case is reduced to a narrow compass as it is to be determined if there is deficiency in service on the part of the OPs and the complainant is entitled for the relief as prayed for and for that purpose the evidence led by the complainant is required to be scanned carefully.
- ii. Perusal of Exhibit C-1 the price tag of the sold products reveals that the Maximum Retail Price of the subject product is Rs.899/- inclusive of all taxes. However, the bill Exhibit C-2 issued by OPs clearly indicates that the OPs had charged an amount of Rs.949/- despite of the fact that the tag of the product Exhibit C-1 clearly indicates that the Maximum Retail Price of the product is Rs.899/- inclusive of all taxes, hence, it stands proved on record that the OPs have overcharged an amount of Rs.50/- from the complainant while selling the subject product by adding taxes which were otherwise already included with the MRP and the aforesaid act of the OPs amounts to deficiency in service and unfair trade practice.
4. In the light of the aforesaid discussion, the present consumer complaint succeeds, the same is hereby partly allowed and OPs are directed as under :-
- i. to refund ₹50/- to the complainant alongwith interest @ 9% per annum from the date of institution of the present consumer complaint till onwards.
- ii. to pay an amount of ₹1500/- to the complainant(s) as compensation for causing mental agony and harassment to him;
- iii. to pay ₹2000/- to the complainant as costs of litigation.
5. This order be complied with by the OPs within 45 days from the date of receipt of its certified copy, failing which, they shall make the payment of the amounts mentioned at Sr.No.(i) & (ii) above, with interest @ 12% per annum from the date of this order, till realization, apart from compliance of direction at Sr.No.(iii) above.
6. Pending miscellaneous application(s), if any, also stands disposed off.
7. Certified copies of this order be sent to the parties free of charge. The file be consigned.

Announced

Sd/-

5/03/2024

[Pawanjit Singh]

*mp*

President

Sd/-

[Suresh Kumar Sardana]

Member