Consumer Complaints and Money Recovery in India: A Practical Guide for 2026

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Published 15 September 2026, 15:30 IST · Version 1 · Editorial review by Vakil Dial Research Team · https://vakildial.com/research/publications/consumer-complaints-and-money-recovery-in-india-a-practical-guide-for-2026

Keywords: consumer complaint India, Consumer Protection Act 2019, e-Jagriti, consumer commission jurisdiction, consumer court fees, summary suit Order XXXVII, money recovery suit, limitation period



Figure 1. A consumer complaint is built on paper: the bill, the warranty, the correspondence and the notice.

A refrigerator dies inside its warranty, a builder misses the possession date by three years, an insurer rejects a claim on a technicality. The Consumer Protection Act 2019 gives the buyer a forum built for exactly these grievances: low or no fees, no requirement to hire a lawyer, online filing, and remedies that run from a refund to punitive damages. The forum is generous, but technical. File in the wrong Commission, after the deadline, or as someone the law does not treat as a "consumer", and the complaint can fail before

anyone looks at the merits.

Are you a consumer in the eyes of the law?

Section 2(7) of the Act defines a consumer as a person who buys goods, or hires or avails of services, for consideration (paid, promised, partly paid or under a deferred payment system).[1] Users and beneficiaries are also covered when they use the goods or services with the buyer's approval. Online purchases, teleshopping, direct selling and multi-level marketing are expressly included.

The law excludes:

- **Resale and commercial purpose.** A person who buys goods for resale or for a commercial purpose, or avails of a service for a commercial purpose, is not a consumer. There is one important carve-out: goods bought and used exclusively to earn a livelihood by self-employment are not "commercial". A tailor's sewing machine or a cab driver's own car can still found a consumer complaint.
- **Free services.** "Service" under Section 2(42) does not include a service rendered free of charge.
- **Contracts of personal service**, such as employment, are also outside the definition of service.

What can you complain about?

- **Defect** (Section 2(10)): a fault, imperfection or shortcoming in the quality, quantity, potency, purity or standard of goods, measured against the law, the contract, or what the trader claimed.
- **Deficiency** (Section 2(11)): a shortfall in the quality, nature or manner of performance of a service. It expressly includes negligence that causes loss and the deliberate withholding of relevant information.
- **Unfair trade practice** (Section 2(47)): a broad list that covers false claims about standard or quality, misleading advertisements and spurious goods. The 2019 Act added practical items that consumers meet every day: not issuing a bill, cash memo

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or receipt; refusing to take back defective goods or withdraw a deficient service and refund the money within the period stated in the bill (or 30 days if none is stated); and disclosing personal information given in confidence.

Step one: build the paper trail and send a notice

The Act does not make a pre-complaint notice compulsory. In practice it is the single most useful thing you can do. A clear written notice (by email and by a trackable post) setting out the transaction, the defect or deficiency, what you want (repair, replacement, refund, compensation) and a reasonable deadline often produces a settlement. If it does not, it shows the Commission that you gave the trader a fair chance.

Gather the invoice or booking confirmation, the warranty, the advertisement or brochure you relied on, payment proof, service job sheets, and every email, chat and call log. Screenshots should show dates. Many people also register a grievance with the National Consumer Helpline (1915), which takes complaints up with companies before any litigation.

Choosing the right Commission

Pecuniary jurisdiction

The Act creates District, State and National Commissions. Section 34 originally gave District Commissions jurisdiction up to ₹1 crore, but the Central Government revised the limits through the Consumer Protection (Jurisdiction of the District Commission, the State Commission and the National Commission) Rules 2021, notified on 30 December 2021.[2]

The crucial point: jurisdiction depends on the **value of the goods or services paid as consideration**, not on the compensation you claim. A ₹40 lakh flat goes to the District Commission even if you seek ₹80 lakh in damages.

Filing fees are set by Rule 7 of the Consumer Protection (Consumer Disputes Redressal Commissions) Rules 2020, last substituted in August 2023 on the same slabs.[3]

Value paid as consideration	Commission	Filing fee

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Up to ₹5 lakh	District	Nil
₹5 lakh to ₹10 lakh	District	₹200
₹10 lakh to ₹20 lakh	District	₹400
₹20 lakh to ₹50 lakh	District	₹1,000
₹50 lakh to ₹1 crore	State	₹2,000
₹1 crore to ₹2 crore	State	₹2,500
₹2 crore to ₹4 crore	National	₹3,000
₹4 crore to ₹6 crore	National	₹4,000
₹6 crore to ₹8 crore	National	₹5,000
₹8 crore to ₹10 crore	National	₹6,000
Above ₹10 crore	National	₹7,500

Each band runs from above the lower figure up to the higher one.

Territorial jurisdiction: you can file at home

Section 34(2) lets a complaint be filed in the District Commission where the opposite party resides, carries on business, has a branch office or personally works for gain; where the cause of action arose, wholly or in part; or, a significant change from the 1986 law, **where the complainant resides or personally works for gain**.[?] A Pune resident who bought a defective appliance online from a Delhi company can file in Pune. The same options apply when a complaint lies before the State Commission (Section 47(4)).

Filing online: e-Daakhil is now part of e-Jagriti

The Act allows complaints to be filed electronically (proviso to Section 35(1)). The original e-filing portal, e-Daakhil, has been folded into **e-Jagriti** (e-jagriti.gov.in (opens in a new tab)), which the Department of Consumer Affairs launched on 1 January 2025. According to the Government, e-Jagriti integrates the older systems (OCMS, e-Daakhil, the NCDRC case management system and CONFONET) into one platform, with OTP-

based registration, online or offline fee payment, virtual hearings, online exchange of documents and real-time case tracking. NRIs can file from abroad.[4]

In outline, you register on e-Jagriti, choose the Commission by value and place, enter the parties' details, upload the complaint, affidavit and indexed supporting documents, pay any fee, and then track the case as it is scrutinised and listed.

The Act does not require a lawyer, but drafting matters: under Section 38(6), complaints are ordinarily decided on affidavits and documents rather than oral testimony.

The two-year deadline

Section 69 bars a Commission from admitting a complaint unless it is filed within **two years from the date on which the cause of action arose**.[?] Delay can be condoned for "sufficient cause", but the Commission must record its reasons, and the burden is on you. Identify the cause of action carefully (in an insurance case, for example, often the date of repudiation), and when in doubt, file sooner.

What happens after filing

The District Commission should ordinarily decide whether to admit the complaint within 21 days of filing; if it does not decide in time, the complaint is deemed admitted (Section 36). Notice then goes to the opposite party, who has 30 days to reply, extendable by no more than 15 days. If the trader does not respond, the Commission can proceed ex parte. Where goods need laboratory testing, the Commission can send a sealed sample for analysis. The Act asks Commissions to endeavour to decide complaints within three months of notice to the opposite party, or five months where testing is needed (Section 38(7)). These are targets, not guarantees, and real timelines vary between Commissions.

Mediation

At the first hearing or later, if the Commission sees room for settlement, it can ask the parties to consent in writing within five days to mediation (Section 37). The Act provides for consumer mediation cells attached to the Commissions. If the parties settle, the Commission records the settlement within seven days of receiving the mediator's report (Section 81). There is **no appeal** against an order recording a mediated settlement, so read the terms carefully before signing. Certain categories of case, prescribed by rules,

are not referred to mediation.

Remedies the Commission can order

Section 39 gives the Commission a wide menu. It can order the trader to remove the defect or deficiency, replace the goods, refund the price or charges with interest, pay compensation for loss or injury caused by negligence (and, where it sees fit, **punitive damages**), stop an unfair trade practice, withdraw hazardous goods, issue a corrective advertisement, and pay costs.

Orders are enforceable like civil court decrees under Order XXI CPC (Section 71). Non-compliance is an offence under Section 72, punishable with imprisonment of one month to three years, a fine of ₹25,000 to ₹1 lakh, or both.

Appeals and time limits

Order of	Appeal to	Time limit	Pre-deposit
District Commission	State Commission (Section 41)	45 days	50% of the amount ordered
State Commission (original complaint)	National Commission (Section 51(1))	30 days	50% of the amount ordered
State Commission (in appeal)	National Commission (Section 51(2))	Substantial question of law only	
National Commission (original complaint)	Supreme Court (Section 67)	30 days	50% of the amount ordered

Late appeals can be admitted for sufficient cause. A Commission can also review its own order for an error apparent on the face of the record, on an application made within 30 days (Section 40 for District Commissions).

When the dispute is not a consumer dispute: civil recovery of money

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Commercial buyers, friendly lenders and suppliers chasing unpaid invoices are generally outside the consumer forum. Their route is a civil suit for recovery.

Start with a legal notice

A legal notice stating the debt, its basis (agreement, invoices, ledger), the interest claimed and a deadline often brings payment or a written acknowledgement, which matters for limitation. For commercial disputes of a specified value of ₹3 lakh or more under the Commercial Courts Act 2015, a suit that does not seek urgent interim relief must first go through pre-institution mediation under Section 12A, which the Supreme Court held mandatory in *Patil Automation Pvt Ltd vs. Rakheja Engineers Pvt Ltd* (2022).

Summary suits under Order XXXVII CPC

Where the claim is for a debt or liquidated sum, Order XXXVII of the Code of Civil Procedure offers a faster track.[5] It applies to suits on bills of exchange, hundis and promissory notes, and to suits to recover a debt or liquidated money demand arising on a written contract, an enactment, or a guarantee. It operates in High Courts, City Civil Courts and Courts of Small Causes, and in other courts as notified by the High Court.

The mechanics favour the creditor:

- The defendant must enter an appearance within **10 days** of service of the summons and plaint. If not, the plaint's allegations are deemed admitted and the plaintiff is entitled to a decree.
- After appearance, the plaintiff serves a summons for judgment. The defendant then has **10 days** to apply for leave to defend, by affidavit disclosing facts that show a defence.
- Leave cannot be refused unless the defence is not substantial or is frivolous or vexatious. Where part of the claim is admitted, leave is granted only if the admitted amount is deposited in court.
- Without leave, the plaintiff gets judgment forthwith.

The three-year limitation period

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Most money claims must be filed within **three years** under the Schedule to the Limitation Act 1963.[6] For money lent, time runs from the date of the loan (Article 19), including loans payable on demand (Article 21). For goods sold and delivered without an agreed credit period, it runs from delivery (Article 14). Where no specific article applies, the residuary Article 113 gives three years from when the right to sue accrues.

Two provisions can rescue an ageing claim: a written, signed acknowledgement of liability made before the period expires starts a fresh period (Section 18), as does a part-payment acknowledged in writing (Section 19).

How Vakil Dial can help

Consumer and money disputes are usually won or lost on preparation: the right forum, a correct valuation, a defensible cause-of-action date and a document bundle that is easy to follow. Vakil Dial's Consumer & Civil Disputes division works on exactly those steps.

- **Review your documents** to check whether you qualify as a consumer, which Commission has jurisdiction, and whether limitation is a risk.
- **Draft and send a legal notice** that sets out the claim clearly and keeps your position protected.
- **Prepare and file** your consumer complaint on e-Jagriti, or your recovery suit, with a properly indexed set of annexures.
- **Connect you with a verified legal professional** from Vakil Dial's network, whose credentials, including Bar Council enrolment, are checked by our operations team, if you need representation at hearings, mediation or appeal.
- **Guide you through the process**, so you know what each stage means and what is expected of you.

To begin, describe your situation on the Free Legal Advice page. Sending an enquiry is free and does not commit you to any paid service; our team reviews it, replies, and explains any paid service before you decide. You can follow your matter in "My Conversations" once signed in. For a plain-language explanation of terms such as "deficiency", "cause of action" or "leave to defend", ask MAATRA, Vakil Dial's intelligent legal-information persona.

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This is general legal information, not legal advice; every matter depends on its facts.

Conflicts of interest

This guide is published by Vakil Dial, which offers the services it describes.

Notes

1. The Consumer Protection Act, 2019 (Gazette of India, Act 35 of 2019), Department of Consumer Affairs https://consumeraffairs.gov.in/public/upload/files/CP%20Act%202019_1732700731.pdf
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