

Central Consumer Protection Authority
Room No. 545, Krishi Bhawan, New Delhi - 110001

Case No: CCPA-2/9/2024-CCPA

In the matter of: Case against Saraf Furniture regarding Unfair Trade Practice.

CORAM:

Smt. Nidhi Khare, Chief Commissioner

Shri. Anupam Mishra, Commissioner

Appearance on behalf of Saraf Furniture:

None

Date: 15.05.2024

ORDER

Central Consumer Protection Authority received complaints from Ashish Verma and Vaish Srinath dated 12th January 2024 and 31st January 2024 respectively against the online e-commerce website Saraf Furniture (<https://www.insaraf.com>) (hereinafter referred to as "opposite party") which sells furniture online with regard to the unfair trade practices adopted by them.

2. The summary of both complaints is as follows:

- i. The website is not delivering furniture orders as per the estimated time.
- ii. Deficiency in services.
- iii. Unfair Trade Practices being adopted by the company by delaying the delivery of the orders and harassing the consumers with long and repetitive delays.
- iv. Not processing the refund request.

3. As per sub-section (1) of Section 19 of the Act, "The Central Authority may, after receiving any information or complaint or directions from the Central Government or of its own motion, conduct or cause to be conducted a preliminary inquiry as to whether there exists a prima facie case of violation of consumer rights or any unfair trade practice or any false or misleading advertisement, by any person, which is prejudicial to the public interest or to the interests of consumers and if it is satisfied

that there exists a prima facie case, it shall cause investigation to be made by the Director General or by the District Collector”

4. In view of the above, a total of 132 similar complaints have been found against the company on the National Consumer Helpline (NCH). Major issues raised in these complaints are as follows:

- i. After-sales services not provided. (Total 22 complaints out of 132)
- ii. Delay/ Non-delivery of products. (Total 88 complaints out of 132)
- iii. Refund not initiated. (Total 22 complaints out of 132)

5. Given the above, CCPA issued a notice dated 7th March 2024 to the opposite party enclosing complaints from Ashish Verma and Vaish Srinath, and 132 complaints on NCH to substantiate the following:

- i. Alleged Unfair Trade Practice being adopted by the opposite party by not delivering furniture orders as per the estimated time and by delaying the delivery of the orders and harassing the consumers with long and repetitive delays.
- ii. As per the 132 similar complaints against the opposite party on the National Consumer Helpline (NCH), the opposite party is delivering deficiency in services, not providing after-sales services, and not processing refund requests.
- iii. A proper grievance redressal mechanism i.e. Name of the Grievance Officer and contact details of the Grievance Officer is not being provided by the opposite party on its website as per the Consumer Protection (E-commerce) Rules 2020.

6. By the reply mail dated 7th March 2024 the opposite party has addressed only the complaints of Ashish Verma and Vaish Srinath and did not submit any response to the 132 complaints on the NCH. In its reply with respect to its products, the opposite party stated:

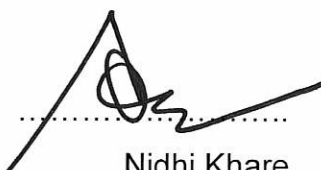
"There are all hand made products which took longer than expected to make due to the various situation Worker Diwali Holidays, Extreme winters in Rajasthan and than rains, which delays polishing process due to fog and moist weather conditions."

7. Further CCPA, issued a letter dated 27th March 2024 to the opposite party directing them to submit a detailed reply to show cause notice issued. The opposite party through mail dated 17th April 2024 submitted their response stating that:

- i. 132 complaints pending against them are false and fictitious, most of the complaints are regarding payment issues and delivering goods that are not a part of the opposite party and most of the complaints have been resolved by the opposite party and the remaining complaints, if any the same will be resolved as soon as possible.
- ii. The opposite party have changed its payment partner and delivering agents recently and it will follow the terms and conditions of the business.
- iii. The opposite party prayed that the above-said notice may kindly be withdrawn.

8. An opportunity for a personal hearing was provided to the opposite party on 14th May 2024 at 3:00 PM. The opposite party did not attend the hearing nor conveyed the reasons for its non-appearance to the CCPA. Based on the principle of natural justice, the opposite party is provided with another opportunity of personal hearing to substantiate the alleged Unfair Trade Practice.

9. The next date of hearing will be on 28.05.2024, at 4:00 PM.


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Nidhi Khare
Chief Commissioner


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Anupam Mishra
Commissioner

