

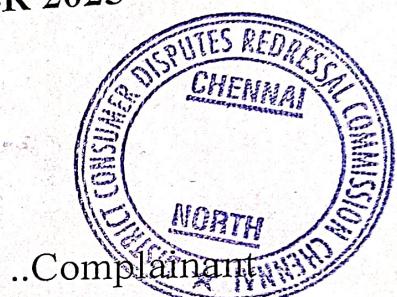
DISTRICT CONSUMER DISPUTES REDRESSAL COMMISSION,  
CHENNAI (NORTH).

Date of complaint :03.07.2025  
Date of Reservation :08.12.2025  
Date of disposal :16.12.2025

Present : Thiru. D. GOPINATH, M.L., M.HR., :  
TMT. KAVITHA KANNAN, M.E., :  
THIRU. .R.SIVAKUMHAR,B.A.,B.L., :  
C.C. No. 187/2025

PRESIDENT  
MEMBER-I  
MEMBER-II

**DATED TUESDAY THE 16<sup>th</sup> DAY OF DECEMBER 2025**



-VS-

Schloss Udaipur Private Limited,  
The Leela Palace Udaipur,  
Represented by its Directors Diplomatic Enclave,  
Africa Avenue, Netaji Nagar, South Delhi,  
New Delhi, Delhi, India, 110023.

..Opposite Party

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Counsel for Complainant

: M/s. Aryan Suresh

Counsel for Opposite Party

: M/s. Vivrti Law

On perusal of records and after having heard the oral arguments of  
Counsel for the Complainants and the Opposite Party, we deliver the  
following:

ORDER

Pronounced by the President Thiru.D.GOPINATH,M.L.,M.HR.,

I. Introduction:



(i) The Complainant is resident of Chennai has preferred the instant complaint u/s. 35 of the Consumer Protection Act, 2019 ['Act' hereinafter] against the Opposite Party alleging *deficiency in services*.

## II. Averments in the Complaint:

2. The Complainant submits that she is a struggling and hardworking advocate practicing independently in Chennai, booked hospitality services at The Leela Palace, Udaipur, with the legitimate expectation of a safe, dignified, luxurious, and hassle-free experience to celebrate her husband's 27th birthday and their baby-moon, as she was pregnant at the relevant time. Having married on [redacted] and [redacted] in October, she planned the trip with deep emotional investment and financial sacrifice, saving her hard-earned money to gift her husband his first birthday after marriage. After travelling from Chennai to Udaipur on 25.01.2025, the Complainant and her husband stayed at Radisson Blu for one night and thereafter checked into The Leela Palace, Udaipur on 26.01.2025, having booked a Grand Room with lake view for one day at a non-refundable cost of Rs.55,500.09/-

3. Despite initially being allotted a room without a lake view, they were later shifted to Room No. 210 upon complaint. On 27.01.2025 at around 12:11 PM, a grave and shocking incident occurred when a housekeeping staff member, [redacted] unlawfully, unannounced, and without consent entered the occupied room while the Complainant and her husband were inside the washroom; despite the couple shouting "No service," he proceeded to enter within seconds of ringing the bell, peeped through the broken washroom door, and observed the Complainant in a compromising and naked state for several seconds before casually apologizing and leaving. The incident caused severe mental trauma, humiliation, and emotional distress to the Complainant, who

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was pregnant and left crying inconsolably, while her husband felt helpless. Despite immediately reporting the matter to the reception, there was no prompt response from senior management, and the Guest Service Manager, attempted to trivialize the issue by offering lemon juice and stay extension, failing to grasp the gravity of the breach of privacy. For nearly eight hours, the Complainant was misled with false assurances, while the management delayed access to CCTV footage, later claiming inconclusive evidence and asserting a flawed protocol permitting staff entry within seconds if no response is heard, even when shower sounds and music were audible. It was further revealed that the CCTV camera outside Room 210 was non-functional and the washroom door was broken, facts admitted by the hotel staff, raising serious concerns of negligence, deliberate lapses, and possible cover-up, especially as the Complainant was shifted to a room with such defects. The hotel failed to suspend the staff immediately and instead sought to defer action, compelling the Complainant to leave due to her husband's birthday plans and flight schedule, after being assured a written apology and revised SOP by the same evening.

4. Upon returning at 9:00 PM to collect the same, the Complainant was further harassed by confiscation of luggage and forced to wait for over 2.5 hours, only to be given a scanned apology letter instead of the promised original and without any revised SOP, despite a signed acknowledgment of responsibility by the Duty Manager. The Opposite Party's conduct amounts to gross deficiency in service, harassment, unfair trade practice, breach of privacy, violation of dignity, and an act akin to voyeurism, rendering the service fundamentally defective and unsafe. Left with no alternative, the Complainant issued a legal notice on 11.02.2025, which was inadequately replied to on 04.04.2025, and the cause of action, having arisen on 27.01.2025 and continued thereafter, subsists till date. The complaint is filed within limitation and falls squarely within the pecuniary and territorial jurisdiction of this Hon'ble



Commission, warranting directions for compensation of Rs.25,00,000/- for mental agony and harassment, refund of the entire stay amount, costs of proceedings, mandatory revision and publication of SOPs, issuance of a formal public apology, and such other reliefs as deemed fit in the interests of justice, equity, and good conscience.

### III. WRITTEN VERSION FILED BY THE OPPOSITE PARTY, IN

#### BRIEF:

5. The Opposite Party submitted that Schloss Udaipur Private Limited, owner of The Leela Palace, Udaipur, is a duly incorporated company and that the present Written Version is filed through its authorised signatory. At the outset, the Opposite Party denies all allegations made in the Complaint, except those expressly admitted, and contends that the Complaint is false, exaggerated, vexatious, malicious, and filed with the sole intent of unjust enrichment and reputational coercion, without any proof of deficiency in service. It is asserted that the hotel is a professionally managed, law-abiding five-star establishment guided by the ethos of "AtithiDevoBhava," with well-defined Standard Operating Procedures aligned with internationally recognised hospitality practices to ensure guest privacy, comfort, and safety. The housekeeping SOPs require staff to check door indicators, ring the doorbell, announce themselves, and wait approximately 45 seconds before entry if no response is received, balancing guest privacy with safety considerations, and all rooms are equipped with internal latches and double-lock mechanisms to prevent entry. In the present case, the Complainant and her husband checked into Room No. 210 on 26.01.2025 without raising any complaint regarding room condition, fixtures, or security. On 27.01.2025, around noon, during scheduled housekeeping hours, the housekeeping associate approached the room when no "privacy/Do Not Disturb" indicator was activated, no request for privacy had been conveyed to the front desk, and accompanied by a female intern,



neither the latch nor the double lock was engaged. In accordance with SOPs, he rang the doorbell thrice at recorded intervals, announced himself, and waited for approximately 50 seconds before entering, as corroborated by CCTV footage. Upon realising that the bathroom was in use, he immediately exited the room, without any interaction or intentional intrusion, and there was no element of voyeurism or deliberate breach of privacy.

6. The Opposite Party denies that the bathroom door or lock was broken and states that this allegation was raised belatedly for the first time in the legal notice, after vacating the hotel, and is an afterthought unsupported by any contemporaneous complaint or evidence. It is further submitted that the Complainant failed to use the available privacy safeguards and that any inconvenience, if at all, arose solely from her own omission. The hotel management promptly engaged with the Complainant, shared CCTV footage, explained the SOPs, and issued apology letters purely as goodwill gestures without admission of liability, while resisting unreasonable demands for termination of a junior employee, SOP modification, and exorbitant compensation. The Opposite Party contends that the Complainant created disturbance, issued threats of legal action, and subsequently sent a distorted legal notice, to which detailed replies were issued in good faith.

7. Relying on settled law, the Opposite Party submits that the burden of proving deficiency in service lies on the Complainant, which has not been discharged, as there is no evidence of negligence, imperfection, or inadequacy in service. The compensation claim of Rs.25,00,000/- is speculative, excessive, and unsupported by proof of actual loss or legally compensable injury, and the prayers seeking public apology and publication or amendment of internal SOPs are beyond the scope of permissible reliefs under the Consumer Protection Act, 2019. Having duly availed the services without protest and in the absence of any established deficiency, the Complainant is not entitled to any refund,



compensation, or costs, and granting such relief would amount to unjust enrichment. The Opposite Party asserts that it acted at all times bona fide, transparently, and in strict adherence to SOPs, and that the Complaint is frivolous, vexatious, and an abuse of process, warranting dismissal in limine with exemplary costs.

**IV.** The complainant has filed her proof affidavit, in support of their claim in the complaint and had filed 17 documents which were marked as Ex.A-1 to A-17 on her side. The opposite party has submitted its proof affidavit along with a document and document Ex.B-1 is marked on their side. Brief written arguments of complainant and opposite party have been filed.

#### **V. ISSUES RAISED:**

8. Based on the above facts, perusing the records before us, and hearing the submissions made by both sides, the following issues have become relevant:

*Issue No. 1: Whether there is any deficiency in service and / or unfair trade practice on the part of the opposite party?*

*Issue No. 2: Whether the complainants are entitled to get any relief and if so to what extent?*

Let's inspect each of the above in detail.

#### **VI. ANALYSIS AND DISCUSSION:**

*Issue No. 1: Whether there is any deficiency in service and or unfair trade practice on the part of the opposite party?*

9. On a careful consideration of the pleadings, documentary evidence produced by both sides, and the rival submissions, this Commission finds that the Complainant is a consumer within the meaning of the Consumer Protection Act, 2019, having availed hospitality services of the Opposite Party for valuable

consideration as evidenced by Ex.A7, and that the Opposite Party is a service provider amenable to the jurisdiction of this Commission. The booking of premium "Grand Room with Lake View" on a non-refundable basis, the admitted stay from 26.01.2025 to 27.01.2025, and the payment of Rs.55,500.09/- are undisputed facts.

10. The core issue for determination is whether the incident of 27.01.2025 constitutes deficiency in service and unfair trade practice on the part of the Opposite Party.

11. The Complainant's version of events is consistently supported by contemporaneous documents, including WhatsApp communications with hotel officials (Ex.A8 and Ex.A9), the apology letters issued by the housekeeping staff and hotel management (Ex.A10 and Ex.A12), photographs and video evidence of Room No.210 showing the washroom door and CCTV placement (Ex.A13), and the immediate email escalation to the Leela Group (Ex.A14). These documents clearly demonstrate that the Complainant protested immediately on the same day, i.e., on 27.01.2025, sought managerial intervention, and continued to pursue resolution even before checkout, thereby demolishing the Opposite Party's contention that there was no contemporaneous protest.

12. The Opposite Party admits that their housekeeping associate entered Room No.210 at around 12:11 PM on 27.01.2025, during the Complainant's occupancy, relying on its internal SOPs by using master key to open the door and the absence of a "Do Not Disturb" indicator or latch usage. However, this Commission finds that the reliance on SOPs cannot override a guest's fundamental right to privacy, particularly in a five-star luxury hotel charging premium tariffs, to guarantee the same. Even as per the Opposite Party's own case, entry was effected by using master key, within less than one minute of





ringing the bell, which, in the facts of this case, is unreasonable and unsafe in a situation where the room was occupied and the washroom was in use. The handwritten timings produced by the hotel itself (Ex.A11) show a narrow window between bell rings and entry, which contradicts the spirit of privacy protection claimed by the Opposite Party.

13. The apology letters issued by \_\_\_\_\_, House Keeping Associate, and \_\_\_\_\_, PR & Marketing Manager, on behalf of the Opposite Party (Ex.A10 and Ex.A12) are highly significant. Though the Opposite Party seeks to characterize them as "goodwill gestures," this Commission cannot ignore that such written apologies, issued on the very date of the incident, acknowledge failure and lapse in handling the situation. In consumer jurisprudence, such admissions, even if styled as apologies, carry evidentiary value and cannot be brushed aside as routine hospitality practice, particularly when coupled with the Complainant's consistent narrative and supporting electronic evidence about the intrusion of staffs and her privacy.

14. The allegation regarding the broken washroom door also merits acceptance. Ex.A13 prima facie establishes the defective condition, and the Opposite Party's shifting stand admitting the complaint at the hotel level while denying it in the reply notice weakens its credibility. Significantly, the Opposite Party did not levy any damage charges on the Complainant, which lends weight to the Complainant's assertion that the defect pre-existed and was not caused by her. The plea that the allegation was an afterthought is therefore untenable.

15. The conduct of the Opposite Party after the incident, is equally disturbing. The prolonged delay in providing CCTV footage, the admission that the camera outside the room was non-functional, the repeated unfulfilled assurances by the Guest Service Manager (as reflected in Ex.A9), and the harassment faced by the Complainant along with her husband at night when



their luggage was withheld and they were made to wait for hours to receive a promised apology letter, collectively constitutes or pervades gross deficiency in hospitality service and callous insensitivity towards the same. The fact that the Complainant was a pregnant woman, supported by Ex.A3, aggravates the mental trauma suffered and imposes a higher duty of care on the service provider, which was clearly breached.

16. The plea taken in the Written Version by the Opposite Party that “neither nor the female intern heard any voice indication from within the room requesting them not to enter or suggesting that room was occupied until the door was opened, cannot be accepted. Further the background sound of the water fountain in the courtyard outside the room further contributed to the difficulty in discerning any faint noise from within. Upon entering and realising that there was sound of water and music emanating from the closed bathroom,

immediately understood that the room was occupied and along with the intern, exited the room without any delay”, is not acceptable, if at all the said staffs could not be able to hear the voice from inside they would have avoided entering the room by using masters key and they would have informed the Reception Desk to check about the availability of the guest inside the room through intercom or telephonic service, which would have been a part of the Standard Operating Procedure (SOP) of the Opposite Party, which they have failed to produce before this Commission, hence this Commission infer that only to safeguard themselves or its interest as well as of its staffs, the same is not produced. Further, if at all the checking time is over, is it not the duty of the Opposite Party to inform intercom or telephonic service, and thereby would have verified whether the guest is about to extend their stay or needs any extra time to vacate/check-out, and on such circumstances would have collected an

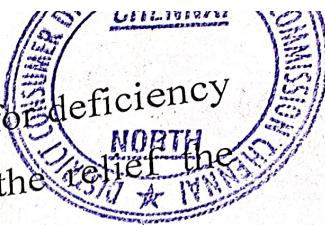


additional charges as entitled, instead of the unauthorised entry by using masters key by the staffs of the Opposite Party would clearly establish the unfair conduct and behaviour of its staffs, which the Opposite Party had failed and neglected in handling and maintaining the basic etiquette by its staffs to its guest's, as per its so-called SOPs, if that would have been strictly followed, the traumatic incident taken place in the instant case could have been avoided.

17. This Commission is constrained to observe that the Opposite Party, instead of demonstrating empathy and accountability which is expected from a reputed luxury hotel of star category, adopted a defensive and adversarial approach, sought to trivialize a serious invasion of privacy, and attempted to shield itself behind internal SOPs. Such conduct is strongly condemnable. The right to privacy and dignity of a hotel guest, especially in a vulnerable condition, cannot be compromised under the guise of operational convenience. Further this Commission observes that it is the duty of the Opposite Party to display and provide its website, the minimum SOPs at least to ensure the privacy and safety of its guest/s during Check-in, Stay and Check-outs, if the entire SOPs are much confidential as claimed. Enabling its staffs to use masters key while the guest are in occupancy, to open the door and enter inside clearly amounts to serious deficiency in service on the opposite party.

18. Accordingly, this Commission holds that the Opposite Party is squarely liable for deficiency in providing hospitality service for their unfair conduct and behaviour of its staff, causing serious mental agony pain and sufferings to the complainant by intruding their privacy. This issue is answered accordingly.

Issue No.2: Whether the complainant is entitled to get any relief and if so to what extent?



19. Having arrived at a conclusion that Opposite Party is liable for deficiency in hospitality service, the issue now to be decided is what is the relief the Complainant is entitled to?

The complainant in the instant complaint had sought the following reliefs:

- (i) Direct the Opposite Party to pay Rs.25,00,000/- (Rupees Twenty-Five Lakhs only) as compensation for mental agony, harassment, and deficiency in service,
- (i) Direct the Opposite Party, to immediately revise its Standard Operating Procedures (SOPs) and publish them on their official website.
- (ii) Direct the Opposite Parties to issue a formal public apology to the Complainant acknowledging their misconduct and negligence.
- (iv) Direct the Opposite Party to reimburse the full amount of the Complainant's stay, as their negligence and failure to provide a safe environment render the service fundamentally defective.
- (v) Quantify the costs of this proceedings at approximately Rs. 25,000/- and direct the Opposite Party to? the said costs to the Complainant;
- (vi) And pass any other order/orders as this Hon'ble Commission may deem fit in light of equity, justice and good conscience.

20. As we have already held that the Opposite Party is liable for the deficiency in hospitality service, though this Commission agrees to the contention of the Opposite Party that it cannot ordinarily direct publication of internal SOPs or compel public apologies as a matter of course, but at the same time well within the powers provided under Section 39 of the Consumer Protection Act, 2019 to award compensation commensurate with the loss or injury suffered and to direct corrective measures to prevent recurrence.

21. Hence, considering the tariff paid, the nature of the incident, the mental agony, humiliation, prolonged harassment, and the status of the Opposite Party



As a premium service provider, the Complainant is clearly entitled to get suitable compensation. However, the claim of Rs.25,00,000/- is found to be on the higher side in the facts of the case and requires moderation to align with principles of reasonableness and proportionality, we do observe that intruding of privacy of a pregnant women, the complainant herein and traumatic mental sufferings cannot be measured by monetary consideration. This order is passed to reaffirm that consumer dignity, privacy, and safety are non-negotiable and that reputed service providers will be held to the highest standards of accountability under consumer law.

Therefore, we have decided to grant the following reliefs:

1. The Complaint is allowed against opposite party for deficiency in hospitality services.
2. The Opposite Party is directed to reimburse the entire room tariff of Rs.55,500.09/- to the Complainant, as the service rendered was fundamentally defective along with 9% interest from the date of occupancy i.e., 26.01.2025 to till the date of realisation.
3. The Opposite Party shall further pay a sum of Rs.10,00,000/- as compensation for deficiency in hospitality service, pecuniary and non pecuniary damages.
4. The Opposite Party shall also pay Rs.10,000/- towards costs of the litigation.

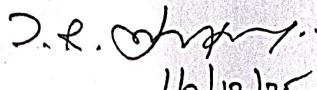
In the result, the Complaint is allowed against opposite party for deficiency in hospitality services. The Opposite Party is directed to reimburse the entire room tariff of Rs.55,500.09/- to the Complainant, as the service rendered was fundamentally defective along with 9% interest p.a from the date of occupancy i.e., 26.01.2025 to till the date of realisation. The Opposite Party shall further pay a sum of Rs.10,00,000/- as

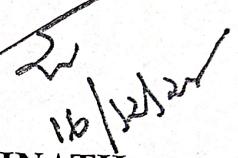


compensation for deficiency in hospitality service, pecuniary and pecuniary damages. The Opposite Party shall also pay Rs.10,000/- towards costs of the litigation within two months from the date of receipt of this order, failing which the complainant is entitled to get the above amount of Rs.10,10,000/- with 9% interest p.a. from the date of this order to till the date of realisation.

Dictated to Steno Typist, transcribed, and typed by her, corrected and pronounced by us in the Open Commission, on this the 16<sup>th</sup> day of December, 2025.

  
16/12/25  
KAVITHA KANNAN  
MEMBER - I

  
16/12/25  
T.R.SIVAKUMHAR  
MEMBER - II

  
16/12/25  
D. GOPINATH  
PRESIDENT

### LIST OF DOCUMENTS FILED BY THE COMPLAINANT

Ex.A1		MCA Data page of Opposite Party with company details
Ex.A2		GST Data page of Opposite party with GST number
Ex.A3		Early Pregnancy Scan Report of Complainant
Ex.A4		Aadhar copy of Complainant's husband to showcase his birthday date
Ex.A5	22/01/25	Flight bookings of the Complainant and her husband to Udaipur
Ex.A6	22/01/25	Hotel Confirmation of Radisson Blu Resort, Udaipur
Ex.A7		Copy of the Hotel Booking Confirmation of The Leela Palace, Udaipur
Ex.A8	26/01/25 27/01/25	Copy of whatsapp conversation with Associate and Complainant



Ex.A9	27/01/25	Copy of whatsapp conversation/calls with service manager and Complainant
Ex.A10	27/01/25	Copy of the Apology Letter provided by the Housekeeping Staff
Ex.A11	27/01/25	Handwritten timings of alleged door bell rung by [redacted] to Complainant
Ex.A12	27/01/25	Copy of the Apology Letter provided by [redacted] behalf of Opposite Party
Ex.A13	27/01/25	Photograph of Room 210, Broken Washroom Door and CCTV Camera
Ex.A14	27/01/25	Email sent by complainant at 10.40pm, after call with customer care of Leela to Leela group for resolution
Ex.A15	11/02/25	Copy of Legal notice sent to the Opposite party and its Acknowledgement
Ex.A16	17/03/25 29/03/25	Copy of whatsapp conversation between Complainant and [redacted] counsel of Opposite party
Ex.A17	04/04/25	Copy of reply notice sent by Opposite party to the Complainant

LIST OF DOCUMENTS FILED BY THE OPPOSITE PARTY:

Ex.B1

Pen Drive



KAVITHA KANNAN  
16/12/25  
MEMBER - I

D.R. Mohan  
16/12/25  
T.R.SIVAKUMHAR  
MEMBER - II

D. GOPINATH  
22/12/25  
PRESIDENT

**DISTRICT CONSUMER DISPUTES  
REDRESSAL COMMISSION CHENNAI (NORTH)**

Free Certified Copy

CC NO: 1871/25

Serial No. of the Application.....

Date of receipt of Application.....

Name of the Applicant.....

Date of disposal..... 16/12/25

Date of Preparation of copy..... 6/1/26

Date of dispatch of free certified copy of order..... 06/01/2026

By Hand.....

By Post.....

HEAD CLERK

6/1/26