

DISTRICT CONSUMER DISPUTES REDRESSAL COMMISSION, PALAKKAD  
Dated this the 8<sup>th</sup> day May, 2026

Present : Sri.Vinay Menon V., President  
: Smt.Vidya A., Member  
: Sri.Krishnankutty N.K., Member

Date of Filing: 27/10/2025

DC/563/CC/484/2025

Abdul Azeez.C,  
S/o.Muhammed Sha C,  
Chekidangottil House,  
Veeramangalam Post,  
Thrikkittiri, Palakkad-679 502.  
(By Adv.M/s.Jeevan John & Sidhya Sasidharan)

Complainant

Versus

Air Asia India Limited,  
XXVII/2605, Ground Floor,  
Pulinadu Building, Atlantis,  
M.G.Road, Kochi-682 015.  
(Ex parte)

Opposite party

ORDER

By Smt.Vidya A., Member.

1. Complainant is the owner of a farm in Palakkad District engaged in cultivation and research of hybrid fruit species. On 26<sup>th</sup> August 2025, the complainant travelled from Kochi to Kuala Lumpur, Malaysia by Air Asia flight and on the next day from Kula Lumpur to Kuala numu for the specific purpose of purchasing a hybrid jack fruit sapling from Indonesia for his farm.

The complainant purchased the sapling from Indonesia as planned. His return ticket was confirmed and as per the schedule, the flight from Medan-Kualanamu was to depart at 5.00 pm and reach Kuala Lumpur at 7.05 pm and after a layover of 3 hours & 20 minutes, the connecting flight from Kuala Lumpur to Kochi was scheduled at 10.25 pm. But the flight from Medan-Kualanamu was delayed for several hours due to reasons solely attributable to Air Asia.



Consequently, the complainant reached Kuala Lumpur only after the departure of connecting flight to Kochi. The delay and missing of the connection flight were entirely due to deficiency in service and lack of co-ordination on the part of the opposite party. The complainant had paid the full fare for a confirmed journey. The complainant immediately approached the Air Asia authorities at Kuala Lumpur Airport requesting an alternative flight on the same day itself. He was even ready to pay extra amount as he was carrying a sensitive hybrid jackfruit sapling that would not survive prolonged delay. However, the opposite party's officials informed that the next flight to Kochi was only after 3 days i.e. on 2<sup>nd</sup> September 2025. But this was a misleading statement as the complainant himself had booked ticket in another Air Asia flight from Kuala Lumpur to Kochi on 31<sup>st</sup> August 2025 at 8.30 pm which reached Kochi at 9.55 pm on the same day. Due to the irresponsible and negligent conduct of the opposite party, the sapling purchased by the complainant got damaged and became completely useless. As a result, the entire expenses incurred for the trip became futile and the complainant is now compelled to undertake a fresh trip to Indonesia to purchase another sapling. The failure of the opposite party to perform its obligations and to provide due assistance to passengers amounts to deficiency in service. So, the complainant approached this Commission to get the following reliefs.

1. To direct the opposite party to refund the entire ticket fare paid by the complainant for the journey from Medan-Kualanamu to Kochi via Kuala Lumpur amounting to Rs.30,750/-.
2. To direct the opposite party to reimburse the travel and accommodation expenses incurred by the complainant during the trip amounting to Rs.25,000/-
3. Compensation equivalent to the cost for a fresh trip to Indonesia amounting to Rs.50,000/-.



4. To pay a compensation of Rs.2 lakhs for the mental agony, inconveniences and loss caused by the negligence of the opposite party.
5. Cost of Rs.25,000/-.
2. After admitting complaint, notice was issued to the opposite party. Notice to the opposite party returned with endorsement 'No such addressee in this building'. Later, notice was sent through e-mail and it was delivered on 07.02.2026. But the opposite party did not appear or file version. Hence, their name was called in open court and set ex-parte.
3. In the absence of version of the opposite party, the complainant needs only to prove a prima facie case against the opposite party. Complainant filed proof affidavit and Exts.A1 to A3 marked. Evidence was closed and heard.
4. Ext.A1 is the printout of the ticket dated 26.08.2025 from Kochi-Kuala Lumpur and the ticket dated 27.08.2025 from Kuala Lumpur-Kualanamu and the details of stay in 'Majestic Residence' and 'Crew Express International'. Ext.A2 is the printout of the ticket dated 30.08.2025 from Medan-Kualanamu to Kochi (via Kuala Lumpur). In Ext.A2 the Departure time from Medan-Kualanamu is shown as 17.00 (5 pm) and Arrival at Kuala Lumpur at 19.05 (7.05 pm) and lay over time is shown as 3 hour 20 minutes. The departure time of the connecting flight from Kuala Lumpur to Cochin is shown as 22.25 (10.25 pm) and the arrival time at Cochin as 23.055 (11.55 pm).
5. As per the complainant, the flight from Medan-Kualanamu was delayed for several hours and as a result he missed the connection flight to Kochi. The complainant approached the Air Asia authorities at Kuala Lumpur Airport and requested for an alternate flight to travel to Kochi and was ready to pay additional charges as he was carrying a sensitive hybrid jackfruit sapling which will not survive prolonged delay. But the Air Asia authorities informed him that the next flight to Kochi is only after 3 days ie. on 2<sup>nd</sup> September 2025. But according to him this was a misleading



statement as he booked ticket in another Air Asia flight to Kochi on 31.08.2025 at 8.30 pm. He produced the ticket dated 31.08.2025 which is marked as Ext.A3.

6. From the evidence adduced, the complainant has succeeded in proving his case. According to him, due to the delay and missing of the connection flight, the sapling purchased by him got damaged and became completely useless and the entire expenses incurred by him for the trip became futile. In the absence of any contra evidence, we accept the contention of the complainant.

7. It is clear that the complainant has suffered financial loss and mental agony due to the deficiency in service on the part of the opposite party and is bound to compensate the complainant for that.

8. In the result, the complaint is allowed. We direct the opposite party:

1. To refund the entire ticket fare from Kuala Lumpur to Kochi amounting to Rs.30,750/-.
2. To pay the travel and accommodation expenses amounting to Rs.25,000/-.
3. To pay a compensation of Rs.25,000/- for their deficiency in service and Rs.10,000/- as cost of the litigation.

The above amounts are to be paid within 45 days of receipt of this order, failing which the opposite parties are liable to pay Rs.500/- as solatium per month or part thereof from the date of the order till the date of final payment.

Pronounced in open court on this the 8<sup>th</sup> day of May, 2026.

Sd/-  
VINAY MENON, PRESIDENT.  
Sd/-  
VIDYA .A, MEMBER.

#### Appendix

Documents marked from the side of the complainant:

Ext.A1: \_Printout ticket dated 26.08.2025 from Kochi-Kuala Lumpur and the ticket dated 27.08.2025 from Kuala Lumpur-Kualanamu.



- Ext.A2: printout of the ticket dated 30.08.2025 from Medan-Kualanamu to Kochi.
- Ext.A3: Copy of flight ticket from Kuala Lumpur to Kochi.
- Documents marked from the side of the opposite party: Nil
- Documents marked from the side of the court: Nil
- Witness examined on the side of the court: NIL
- Witness examined on the side of the opposite party: NIL
- Court witness: NIL
- Cost: 10,000/-

Manuscript prepared by me, transcribed by the Confidential Assistant and verified by me and found correct.

Dated this the 8<sup>th</sup> day of May, 2026.

Sd/-  
VIDYA A., MEMBER.

**NB:** Parties are directed to take back all extra set of documents submitted in the proceedings in accordance with Regulation 20(5) of the Consumer Protection (Consumer Commission Procedure) Regulations, 2020 failing which they will be weeded out.

rps/

Fair copy on: 30.05.2026

Despatched on: 3/6/26 (BY hand)

Forwarded By Order,  
*[Signature]*  
Assistant Registrar.  
**Assistant Registrar**  
Consumer Disputes Redressal Commission  
Palakkad, Kerala State



Free Certified Copy:  
Date of disposal of CC: 8/5/26  
Date of preparation of copy: 30/5/26  
Date of despatch:  
By Hand / Post: 3/6/26