

16

1

DISTRICT CONSUMER DISPUTES REDRESSAL COMMISSION -V
NORTHWEST DISTRICT, GOVT. OF NCT OF DELHI
CSC - BLOCK C-POCKET C, SHALIMAR BAGH DELHI 110088
CC No. DN/49/2025

IN THE MATTER OF:

MANOJ KUMAR
S/o Sh. Pawan Kumar
R/o B 87, Street No. 6,
Ambedkar Nagar,
Haiderpur, Delhi - 110088

.....COMPLAINANT

VERSUS

ZOMATO PRIVATE LIMITED
Zomato Head Office,
Pioneer Park, Sector 61,
Sector 62, Gurugram,
Haryana - 122102

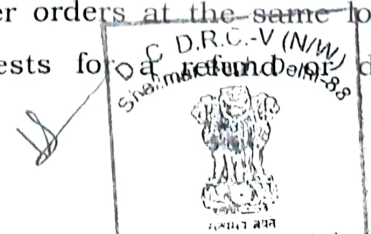
.... OPPOSITE PARTY

ORDER
11.05.2026

Sh. RAJESH, MEMBER.

- 1) The Complainant, a Zomato Gold customer, filed this complaint under Section 35 of the Consumer Protection Act, 2019. On August 20, 2024, the Complainant placed five different food orders via the OP's mobile application to celebrate his niece's birthday at Rithala, Delhi. While three orders were successfully delivered to the same address, the OP failed to deliver two specific orders (Order ID: 6102666462 and Order ID: 6108203840) totaling ₹250.61.
- 2) It is stated that the OP unilaterally cancelled these orders, claiming the Complainant's phone was "not reachable," despite successfully delivering three other orders at the same location and time. The Complainant's requests for ~~refund~~ delivery were denied,

15/2026



Raj
11/05/2026

causing humiliation and mental agony during a family celebration. Therefore the complainant has approached this Commission seeking refund with compensation.

3) Notice of the complaint was duly issued to the Opposite Party. However, despite successful service, the OP failed to appear or file a written version within the statutory period. Consequently, the OP was proceeded against ex parte vide order dated 10.06.2025.

4) The Complainant filed his ex parte evidence by way of affidavit, reiterating the facts stated in the complaint. In support of his contentions, the Complainant relied upon and proved the following documents:

a) Order Summary for ID: 6108203840 from "Pandit Ji Ka Dhaba" for ₹146.73, marked as "declined".

b) Order Summary for ID: 6102666462 from "Laxmi Punjabi Dhaba" for ₹103.88, marked as "declined".

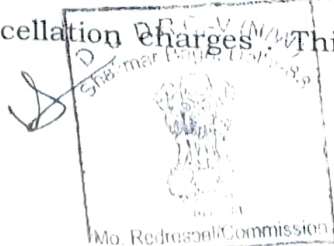
c) Chat Transcripts with Zomato Support ("Zia," "Gokul," and "Nida") showing the OP's refusal to refund, citing "cancellation charges" for a non-reachable phone.

d) Legal Notice dated 28.09.2024 served on the OP on 03.10.2024, which remained unreplied.

5) The evidence led by the Complainant remains unrebutted. The OP's contention that the Complainant was "not reachable" is proven to be a mere pretext, as three other orders were successfully delivered to the same address during the same window.

6) As a "Gold" member, the Complainant was entitled to prioritized service, yet the OP not only failed to deliver the food but also illegally deducted "cancellation charges". This constitutes a gross

11/5/2026



Recd
11/05/2026

"Deficiency in Service" and "Unfair Trade Practice" under the Consumer Protection Act. The OP's failure to respond to the legal notice further highlights their adamant and negligent attitude.

- 7) In view of the above observations and findings, the present complaint is allowed. The Opposite Party is directed to Refund the amount of ₹250.61 (Total for both cancelled orders) to the Complainant along with interest @ 6% per annum from the date of the order till realization. Pay ₹5,000/- as compensation for the mental agony, harassment, and humiliation faced by the Complainant during a family event. Pay ₹3,000/- towards the cost of litigation.

The Opposite Party No.1 is directed to comply with this order within 45 days from the date of receipt of this order, failing which the total amount awarded shall carry interest @ 9% per annum from the date of this order until realization.

Copy of the order be given to the parties free of cost as per order dated 04.04.2022 of Hon'ble State Commission after receiving the application from the parties in the registry.

Order be uploaded on <https://e-jagriti.gov.in/>. File be consigned to record room.

Announced in open Commission on 11.05.2026.

ANJAY KUMAR
RESIDENT

(NIPUR CHANDNA)
MEMBER



(RAJESH)
TRUE COPY MEMBER

Attested
Reader *Kaashish*
3-7-2026
DCDRC-V(NW)