

**ADDITIONAL BENCH**

**STATE CONSUMER DISPUTES REDRESSAL COMMISSION,  
PUNJAB, DAKSIN MARG, SECTOR 37-A, CHANDIGARH.**

**First Appeal No.256 of 2023**

**Date of institution : 06.04.2023  
Reserved on : 18.09.2026  
Date of decision : 07.10.2026**

Singapore Airlines Limited through Mr. Kwan Shan, Manager Northern and Eastern India & Authorized Representative 2<sup>nd</sup> Floor, Param Market, Civil Lines opposite SBI Main Branch, Jalandhar Punjab-144001.

.....Appellant/Opposite Party No.1

**Versus**

1. Jaspreet Singh S/o Shri Harpal Singh R/o Mohalla Ram Nagar, Ward No.2, Tehsil Nangal, District Rupnagar, Punjab-140001

.....Respondent No.1/complainant

2. Bipasha Aviation through its Proprietor 225, Defence Colony Market Jalandhar, Punjab-144022

.....Respondent No.2/Opposite party No.2

**First Appeal under Section 41 of the  
Consumer Protection Act, 2019 against the  
order dated 03.01.2023 passed the District  
Consumer Disputes Redressal Commission,  
Ropar in CC/86/2022**

**Quorum:-**

**Mr. H.P.S. Mahal, Presiding Judicial Member  
Mrs. Kiran Sibal, Member**

**Argued by:-**

|                     |                             |
|---------------------|-----------------------------|
| For the appellant   | : Sh. I.S. Kakkar, Advocate |
| For respondent No.1 | : Ex-parte                  |
| For respondent No.2 | : None                      |

**KIRAN SIBAL, MEMBER**

The instant appeal has been filed by the appellant/opposite party No.1 against the impugned order dated 03.01.2023 passed by District Consumer Disputes Redressal Commission, Ropar (in short,

“the District Commission”), whereby the complaint filed by complainant against opposite parties (in short ‘OPs’), under the Consumer Protection Act 2019, was allowed, while granting the following relief:

*“16. In view of the aforesaid facts and circumstances, the present complaint stands allowed with the following directions to the OPs No.1&2:-*

- 1. To refund the price of the air tickets i.e. Rs.1,25,000/- to the complainant along with interest @7% per annum from the date of purchase of the air tickets by the complainant.*
- 2. To pay Rs.25,000/- as compensation along with Rs.11,000/- as litigation expenses.*
- 3. The OPs are further directed to comply with the order within the period of 30 days from the date of receipt of certified copy of this order.....”*

2. It would be apposite to mention that hereinafter the parties will be referred, as have been arrayed before the District Commission.

3. Brief facts of the case for disposal of the appeal are that the complainant purchased three tickets approximately for Rs.1,25,000/- for his wife, minor daughter and mother in law through OP No.2 for travelling to Melbourne from India and booking reference number was issued by OP No.1 i.e. V9LNTU. The complainant stated that when the said passengers started their journey from Delhi, Indra Gandhi International Airport for Melbourne on 04.03.2020, the staff members of OP No.1 did not provide food to the said passengers during the journey, that was of 15-16 hours. Thereafter, on 09.03.2020, the complainant lodged complaint with OP No.1 through email about the harassment faced by the passengers. OP No.1 in reply to said email had stated, vide email dated 12.03.2020, that it would investigate the matter and further, vide email dated 13.03.2020, OP No.1 stated that there was no

request/preference for any vegetarian and/or any specific meal, as the same was not opted by the complainant or OP No.2. The complainant further stated that his daughter was just 11 months old and in whole travel, OP No.1 did not provide even milk to small child. Alleging deficiency in service on the part of OPs, the complainant filed consumer complaint before the District Commission and sought directions against the OPs to refund the price of tickets i.e. Rs.1,25,000/- and further to pay compensation to the tune of Rs.10 lacs on account of mental agony, harassment and emotional distress suffered by the complainant.

4. Notice of the complaint was issued to the OPs, but OP No.2 failed to appear despite service and was proceeded against ex-parte.

5. In reply to complaint, OP No.1 raised certain preliminary objections, which are not required to be reproduced here for the sake of brevity. On merits, OP No.1 stated that the complainant did not make prior request for any specific/preferred vegetarian/vegan/special meals, while booking the ticket and as such, the food was provided from the menu. If there was any preference for specific/special meal or preferred meal, the complainant should have made the request at the time of booking of the tickets. OP No.1 further stated that appropriate response was given to the grievance of the complainant and he was clearly informed to contact his travel agent for the issues arising out of the flights i.e. making requests for vegetarian meals and/or any specific meals. OP No.1 performed its obligations and there was no deficiency in service on its part. After denying the other averments made in the complaint, OP No.1 prayed for dismissal of the complaint.

6. The appearing parties led their evidence before the District Commission in support of their respective contentions and the District Commission after going through the record and hearing learned counsel for the parties, allowed the complaint of the complainant, vide impugned order as above. Aggrieved with the same this appeal has been filed by the appellant/OP No.1.

7. Notice of this appeal was issued to the respondents, but respondent No.1/complainant failed to appear before this Commission despite service, as such, he was proceeded against exparte. Respondent No.2, initially appeared through counsel but later on failed to appear and also failed to file written arguments.

8. We have heard learned counsel for the appellant and gone through the written arguments filed by it as well as record of the case.

9. The learned counsel for the appellant/OP No.1 has vehemently contended that the District Commission has overlooked the fact that there exists no cause of action wholly or in part in favour of respondent No.1 and against the appellant, as he did not request/hire/avail the services of appellant for which he is complaining. Respondent No.1/complainant did not produce an iota of evidence, which show any negligence or any kind of deficiency in service on the part of the appellant. The learned counsel further argued that had respondent No.1/complainant given his preference/preferred meat at the time of booking or even before boarding the flight and if the appellant had failed to provide the same, only then the appellant could be held liable for deficiency in service. However, the appellant provided

the meal as per the menu. The learned counsel further argued that the District Commission erred in granting refund of the air tickets along with interest, whereas when there is no deficiency in service, the question of refund does not arise. The learned counsel further argued on the similar lines as stated in the written reply and prayed for acceptance of the present appeal.

10. We have given our thoughtful consideration to the contentions raised by the learned counsel for the appellant.

11. The foremost ground of appeal raised by the appellant is that there was no cause of action against appellant/OP No.1 as respondent No.1/complainant had not directly hired or availed its services, for which he was complaining. The said contention cannot be accepted as it is an admitted position that the air journey in question was operated by appellant/OP No.1 and the wife, minor daughter and mother-in-law of the complainant actually travelled in the said flight from Delhi to Melbourne. Thus, appellant/OP No.1 was the service provider in respect of the said journey and was liable to render the services with reasonable care and in accordance with the obligations attached to such service.

12. Now, the main grievance of the appellant/OP No.1 is that the District Commission has overlooked the fact that respondent No.1/complainant did not make prior request for any specific/preferred vegetarian/vegan/special meals, while booking the ticket and as such, the food was provided from the menu. On the other hand, the case of respondent No.1/complainant, as mentioned in his complaint, is that the

staff of the appellant did not provide food to his family members during the journey, that was of 15-16 hours. To determine the said controversy, we have perused the pleadings of the parties, evidence placed on record as well as impugned order passed by the District Commission. It is not in dispute that respondent No.1/complainant had purchased air tickets for his wife, minor daughter and mother-in-law for travelling from Delhi to Melbourne on 04.03.2020 and that the journey was of approximately 15 hours. The plea of the appellant/OP No.1 is that no prior request for vegetarian, vegan or any special meal was made at the time of booking. However, from the perusal of the complaint lodged with the appellant by respondent No.1, vide email dated 09.03.2020 (Ex.C-3), shows that the grievance of respondent No.1/complainant is not confined merely to non-provision of a particular type of meal. The relevant part of the said complaint is reproduced as under:-

*"I Jaspreet Singh s/o Harpal Singh r/o House No.24/HH Nangal Township, District Rupnagar (M.9988024479) booked three return tickets for my wife namely Rajwant Kaur, my daughter namely Hargun Kaur and mother in law namely Darshan Kaur from India to Melbourne (04-03-2020) and Melbourne to India (27.05.2020) with your Airline and booking reference of the ticket is V9LNTU for your knowledge. While travelling in flight on 04.03.2020 your staff members on flight did not provide food to my family including my 11 months daughter. When my family members asked about the reason for not providing the food then the staff embers on board told that your food has not been confirmed that is the reason behind not providing the food and they also told that firstly they will provide the food to the passengers who has confirmed the food after that they will provide. It is pertinent to mention here that after saying for waiting even then your staff members did not provide food to my family. It is again imperative to mention that when my family felt hunger then my wife raised her voice for not providing food to them, then your staff members provide one meal to my mother in law and same*

*was shared by both my wife and mother in law your staff has not provided even a milk to my daughter and all my family members travelled without eating proper food whereas your airline declares itself the world most awarded airline.”*

In the above said complaint, respondent No.1/complainant has specifically alleged that his family members were not provided proper food during such a long international journey and, more importantly, that even milk was not provided to his 11-month-old minor daughter. It is also significant that he had immediately raised the grievance with appellant/OP No.1 through above said email dated 09.03.2020. The appellant/OP No.1, in its reply dated 12.03.2020 (Ex.C-4), assured that the matter would be investigated. However, instead of satisfactorily addressing the grievance, the appellant, vide email dated 13.03.2020 (Ex.C-3), merely stated that no request for any meals for all segments of his itinerary had been made and advised the complainant to approach the travel agent. It is pertinent to mention here that the fact that a passenger may not have opted for a special meal does not mean that the airline is absolved of its basic duty to provide the ordinary meal service forming part of the air journey, particularly when the journey was of 15–16 hours. Further, the specific circumstance of an 11-month-old child travelling on such a long journey required reasonable care and consideration from the airline. Moreover, from the perusal of Ex.C-5, placed on record by the complainant, shows that it has been specifically replied by the appellant that a passenger can also choose his meal while on board. Accordingly, the plea that respondent No.1/complainant had not requested/preferred a special meal cannot, by itself, constitute a complete defence to the grievance raised. Even,

the appellant has not placed sufficient material on record to establish that the grievance of respondent No.1/complainant was factually incorrect or that the requisite food and other reasonable facilities were duly provided to the passengers during the journey. In these circumstances, the explanation furnished by appellant/OP No.1 is not convincing. Accordingly, we are of the considered view that respondent No.1/complainant has been able to establish deficiency in service on the part of appellant/OP No.1 in rendering the contracted air travel service. Accordingly, the finding of the District Commission holding the appellant/OP No.1 deficient in service does not call for interference.

13. So far as the quantum of compensation awarded by the District Commission, vide impugned order, is concerned, we feel that the same has been granted slightly on higher side. It is an admitted position that the passengers actually undertook the journey from Delhi to Melbourne and, therefore, availed the principal service for which the consideration was paid. The deficiency established against the appellant relates to the manner in which the ancillary/in-flight services were rendered and not to complete failure to provide the contracted air transportation service. Consequently, the refund of the entire ticket fare would not be proportionate to the deficiency proved on record. At the same time, the aforesaid circumstance does not disentitle respondent No.1/complainant from receiving reasonable compensation. The inconvenience and hardship caused during a journey of approximately 15–16 hours, particularly in the case of a passenger travelling with an 11-month-old child, cannot be brushed aside. The respondent

No.1/complainant had also been forced to approach the appellant after the journey, but his grievance was not satisfactorily resolved. In view of the attending circumstances, we are of the considered view that the ends of justice would be met by awarding reasonable compensation to the tune of Rs.50,000/- instead of directing refund of the entire ticket fare along with interest. Accordingly, the impugned order is required to be modified to that extent.

14. Sequel to the above, the appeal is **partly allowed** and the order of the District Commission is modified to the extent that the appellant/OP No.1 is directed to pay Rs.50,000/- only (instead of amounts awarded in the impugned order) to respondent No.1/complainant as composite cost of compensation for suffering mental agony and harassment in the hands of the appellant/OP No.1 as well as cost of litigation expenses.

15. The compliance of the order shall be made by appellant/OP within a period of 45 days from the date of receipt of certified copy of the order.

16. The appellant had deposited a sum of Rs.1,03,040/- at the time of filing of the appeal. This amount alongwith interest, which has accrued thereon, if any, shall be remitted by the registry to the District Commission forthwith. The concerned parties may approach the District Commission for the release of the above amount and the District Commission may pass the appropriate order in this regard after the expiry of limitation period in accordance with law.

17. The appeal could not be decided within the stipulated period due to heavy pendency of Court cases.

**(H.P.S. MAHAL)**  
**PRESIDING JUDICIAL MEMBER**

**(KIRAN SIBAL)**  
**MEMBER**

**October 07, 2026**  
*(Dv)*