

DISTRICT CONSUMER DISPUTES REDRESSAL COMMISSION-II**U.T. CHANDIGARH**

Consumer Complaint No.	:	539/2023
Date of Institution	:	03.11.2023
Date of Decision	:	11.07.2024

Paramjit Kaur Pasricha aged about 41 years w/o Varinder Pal Singh Pasricha R/o Flat No. 295-B, Sector-51-A, Chandigarh-160047

2nd Address:-

Paramjit Kaur Pasricha aged about 41 years W/o Varinder Pal Singh Pasricha C/o Tikke Di Hatti, Cabin No-21, SCO-1003, Sector-22-B, Chandigarh (U.T) (UID No. 4759-9873-9587) (Mob:-94652-02941).

.....Complainant

Versus

- HDFC Bank Ltd, having its Registered and Corporate Office situated at, HDFC House, H.T Parekh Marg, 165-166, Backbay Reclamation, Churchgate, Mumbai 400020, Maharashtra through its Office In- Charge/Branch Manager/Authorized Signatory.
- Phoenix ARC Private Limited, having its registered office at, 5th Floor, Dani Corporate Bank, 158, C.S.T Road, Kalina, Santacruz (E), Mumbai- 400098 through its Office In-charge/Branch Manager/Authorized Signatory.

.... Opposite Parties

BEFORE:

**SHRI AMRINDER SINGH SIDHU,
SHRI B.M.SHARMA**

**PRESIDENT
MEMBER**

PRESENT:-

Sh.Mohit Singla, Adv. for complainant

OPs exparte.

ORDER BY AMRINDER SINGH SIDHU, M.A.(Eng.),LLM, PRESIDENT

- The complainant has filed the present complaint alleging therein that on 18-09-2023, when she took her CIBIL SCORE Report from online application, she got astonished and found that the Credit Card/Account No.#####0435 of OP No.1 is running on her name and till date current balance has shown against the said credit card is Rs.72,927/- and the account number alleged to be open by OP No.1 on 05-01-2021. Similarly, she further found that Credit Card/Account No. #####3593 of OP No.2, is running on her name and till date current balance has shown against the said credit card is Rs. 1,17,432/- and the account number alleged to be opened by the OP No.2 on 31-08-2017. After getting the report, she approached the OPs through telephonically and asked the detail of the persons/contact number of the persons who make the payment or via-media of making the payment and requested them

to withdraw their illegal demand against the aforesaid credit cards and to correct his CIBIL Score because her CIBIL SCORE is going low and low but they have not given any satisfactory reply. It has been averred that she had neither used the credit cards nor availed the credit cards facility at any point of time from the OPs. She had not received any communication or any OTP regarding the restructure of the credit cards, thus the complainant has no knowledge of any alleged Credit Cards/Accounts. She approached the OPs time and again and requested them to withdraw their illegal demands and to issue the NOC, but till date no action has been taken. Alleging that the aforesaid acts of omission and commission on the part of the OPs amount to deficiency in service and unfair trade practice, the complainant has filed the instant complaint seeking directions to the OPs to withdraw the illegal demands qua the aforesaid credit cards; to correct the CIBIL score and to pay the compensation for mental agony and physical harassment as well as litigation expenses.

2. Despite due service, the Opposite Parties failed to put in appearance and as a result thereof they were ordered to be proceeded against exparte vide order dated 05.01.2024.
3. The complainant filed her affidavit and documents in support of their case.
4. We have heard the Counsel for the complainant and have gone through the documents on record.
5. The complainant has filed his detailed affidavit reiterating the averments made in the complaint. The complainant has specifically deposed in the affidavit that she had neither used the credit cards nor availed the credit cards facility at any point of time from the OPs. She has further deposed that she had not received any communication or any OTP regarding the restructure of the credit cards and, therefore, she has no knowledge of any alleged Credit Cards/Accounts. She has further deposed that the OPs did not take any action to withdraw the illegal demands despite her repeated requests. Pertinently, the OPs chose not to appear before this Commission. Therefore, in the absence of any rebuttal from the side of the OPs, the version of the complainant, supported by her duly sworn affidavit, must prevail.
6. In view of the above discussion, the complaint is partly allowed with a direction to the respective OPs to withdraw the illegal demands of Rs.72,927/- qua the credit Card/Account No.#####0435 issued by OP No.1 and the demand of Rs.1,17,432/- qua Credit Card/Account No. #####3593 issued by OP No.2 and thereafter to issue the NOC to the complainant. The OPs are also directed to get the CIBIL score of the complainant corrected from the competent authorities forthwith.
7. This order be complied with by the OPs within 60 days from the date of receipt of its certified copy.
8. The pending application(s) if any, stands disposed of accordingly.
9. Certified copy of this order be sent to the parties, as per rules. After compliance file be consigned to record room.

Announced in open Commission

11.07.2024

Sd/-

(AMRINDER SINGH SIDHU)

PRESIDENT

Sd/-

(B.M.SHARMA)

MEMBER