

DCDRC Bangalore Orders Ola to pay Rs. 15,000 Compensation to Customer for Deficient Service

Judgment Date: 18th January, 2023

The District Consumer Disputes Redressal Commission (in short DCDRC), Bangalore ordered Ola Cabs to pay Rs. 15,000 compensation to a customer for insufficient service as the air-conditioning in the cab was not functioning causing physical strain and mental agony in the due courses. President M Shobha was hearing the complaint filed in the matter of Vikas Bhusan vs. Bhavish Aggarwal.

In the aforementioned case, the factual matrix were that on October 2021, the complainant with his colleagues hired a cab through the Ola app and chose the 80 kilometers or 8-hour trip option. The complainant contended that the AC was not working for the duration of the 8-hour trip.

The complainant stated that there was no mechanism to redress the grievance during the trip and that cancellation would impose penalty on the booking amount.

The complainant reached out to the customer service and demanded a refund. However, the company contended that as per the rate card, there was no additional charge for AC and, therefore, it was not possible to discharge refund.

The complainant was then aggravated by the senior management, after the company issued a refund of Rs. 100 without any discussion with the complainant.

Aggrieved by the same, the complainant filed a complaint via the National Consumer Helpline on the ground that inefficient services were provided. He claimed compensation of Rs. 50,000 and a refund of the booking amount of Rs. 1,837 with interest.

Ola filed its response to the legal notice sent by the complainant. However, due to delay of 45 days, the Commission rejected it on 7th September, 2022.

The Commission noted that despite sufficient opportunity being provided to the aggregator, it had neither appeared to argue nor had filed written arguments before it. Subsequently, it was found that Ola's website and app specially mentions that Ola cabs in the respective category are equipped with an AC, extra legroom etc.

The Commission highlighted that since Ola had refunded Rs. 100 for deficiency in service, it had accepted that the AC was not working even after collection of entire booking amount.

Stating that it was Ola's duty to provide services as promised, the Commission ruled that the company had served deficiently and hence the complainant was entitled to relief.

The Commission in its order observed, *“it is the duty of the OP to provide all services to the customers as per promise made by them. They have made the customer complainant to suffer inconvenience and mental agony during his trip without providing the service of AC for the entire trip period of 08 hours. Therefore, the OP have committed deficiency of service and also unfair trade practice on their part.”*

Remarking the "very unfair behavior" of the cab service provider, the Commission directed Ola to refund the booking amount with interest at the rate of ten per cent per annum from the date of the complaint till realization.

Moreover, it directed the company to pay Rs. 10,000 compensation and Rs. 5,000 as litigation expenses to the complainant and partly allowed the complaint.

REFERENCE- <https://www.barandbench.com/news/consumer-commission-directs-ola-pay-15000-compensation-customer-over-defunct-cab-ac>