

**BEFORE THE HON'BLE DISTRICT CONSUMER DISPUTES REDRESSAL COMMISSION/FORUM AT
HYDERABAD.**

C.C.No 759/2011

EVIDENCE UNDER AFFIDAVIT

IN THE MATTER OF : Mr. Rahul Amaram

<full-address-of-complainant> **COMPLAINANT**

VERSUS

Managing Director,
Hewlett-Packard India Sales Pvt. Ltd.
24, Salarpuria Arena,
Adugodi,
Hosur Road,
Bangalore - 560 030

..... **OPPOSITE PARTY 1**

Arun Computers,
29, 30, 43 & 44, Chenoy Trade Centre
Shop#116, Ground Floor,
Parklane,
Secunderabad – 500 003

..... **OPPOSITE PARTY 2**

INTRODUCTION:

This evidence under affidavit is being filed by Rahul Amaram, a software engineer, residing at <full-address-of-complainant>, referred hereafter as Complainant.

The Opposite Party 1, Hewlett-Packard (HP) India Sales Pvt. Ltd., having its office at 24, Salarpuria Arena, Adugodi, Hosur Road, Bangalore - 560 030, is a Company incorporated under the Indian Companies Act 1956, and is engaged in several business ventures, once such, being manufacturing Printers, Personal Computers, Laptops, etc.

The Opposite Party 2, Arun Computers, having its shop at 29, 30, 43 & 44, Chenoy Trade Centre, Shop#116, Ground Floor, Parklane, Secunderabad – 500 003, is a dealer of the products of Opposite Party 1.

EVIDENCES SUBMITTED:

1. That the Complainant purchased a HP Photosmart C6388 printer (serial#MY9349D01D) on August 14, 2009 for Rs.12,500 from Opposite Party 2 (See Annexure 1 for invoice of the printer).
2. That the Opposite Party 1 provided a warranty on the product, which extended from the date of purchase till November 12, 2010. The warranty covered getting any manufacturing defects in the product resolved before its expiry. (See Annexure 2 for warranty expiry details).
3. That the average number of pages printed per set of cartridges was about 80-100 (See Annexure S for the number of pages printed and the number of cartridges used). The pages printed had moderate context of text and no images, and yet all the cartridges were empty. The cost of each set of cartridges is about Rs.2500-Rs.3000 which means the cost per page is Rs.25-30 which is extremely unreasonable. Further, it is mentioned on each of the cartridges that the average yield is about 250-300 pages.
4. That because of this low number of pages printed, the Complainant had to buy an extra set of cartridges (See Annexure 3 for invoice of the cartridges purchased) and as HP Service Center

acknowledged this problem, they even replaced the cartridges gratis (CaseID ININDARC10001016581).

5. That a new replacement printer (new serial#MY96N9F1M1) was delivered (See Annexure 4 for replacement printer details) which did not rectify the problem of high ink consumption. Also, the Complainant would like to affirm that the problem of "Carriage getting struck" as mentioned in the replacement printer details is an inaccurate description of the real problem and that he has no where acknowledged this as the actual problem.
6. The Complainant avers that though the printer is currently out of warranty, he had informed the Opposite Party 1 several times about the problem (via phone and email) before the warranty expired, and that the steps taken by the Opposite Party 1 to address the problem never resolved the real issue, which is high consumption of ink by the printer.
7. The Complainant made more than 20 phone calls to Opposite Party 1 support between 19-May-2010 and 08-Mar-2011 in trying to have this issue resolved (See Annexure 17 for details of the calls made).
8. The Complainant sent 11 mails to the Opposite Party 1 Support requesting for resolution of the problem. Only 2 responses were received, for both of which, there was no further follow up from the Opposite party 1 (See Annexures 5-15 for copy of the emails exchanged between the Complainant and the Opposite Party 1).
9. The Complainant also avers that a warranty extension was assured by the Opposite Party 1 which had not been given (See Annexure 6 and Annexure 11 for copy of the emails discussing about warranty extension)
10. The Complainant further believes that this problem of high ink consumption is prevalent among HP printers of the model C6388 because:
 1. Replacement of the complainant's printer with the same model did not resolve the problem of High Ink Consumption (See Annexure S for the number of pages printed and the number of cartridges used)
 2. Reviews of other users of same models of this printer shows them facing similar issues of high ink consumption as well (See reviews 3, 5, 6, 8, 14 in Annexure 16).
11. The Opposite Party has falsely alleged the Complainant of not handling the printer properly and has not provided any proof whatsoever to support this baseless allegation.

EVIDENCES ANNEXURES:

Annexure 1 - Purchased printer invoice

Annexure 2 - Warranty Details

Annexure 3 - Purchased cartridges invoice

Annexure 4 - Details about the new replacement printer

Annexure 5 to 15 – Copy of the emails exchanged between the Complainant and the Opposite Party 1

Annexure 16 – Reviews of users using same models of the printer as owned by the Complainant

Annexure 17 – Details of calls made by the Complainant to the Opposite Party 1 Support

Annexure S – Status of the printer showing the number of cartridges used and the number of pages printed

VERIFICATION

I, Rahul Amaram, <full-address-of-complainant> hereby declare that I have not misrepresented any facts nor have tried to hide any information in my above complaint. All the facts mentioned herein are true to the best of my knowledge.

PLACE :

Signature :

DATED :

NAME OF THE COMPLAINANT : Rahul Amaram