

**STATE CONSUMER DISPUTES REDRESSAL COMMISSION**

**CHANDIGARH**

**FIRST APPEAL NO. SC/4/FA/117/2025**

(Against the Order dated 6th December 2024 in Complaint DC/44/CC/376/2023 of the District Consumer Disputes Redressal Commission Chandigarh district commission)

SONY INDIA

BUSINESS ADDRESS - A18 MOHAN INDUSTRIAL AREASOUTH,DELHI.

M/S GOEL BROS

PRESENT ADDRESS - SCO 307 35-B CHANDIGARH THROUGH ITS

PROPRIETORCHANDIGARH,CHANDIGARH.

M/S TECHNOCARE SONY AUTHORIZED SERVICE CENTRE

PRESENT ADDRESS - SCO 128 -129 SECTOR 34 A CHANDIGARH 160022 THROUGH

AUTHORITIE PERSON.CHANDIGARH,CHANDIGARH.

.....Appellant(s)

Versus

ALAUKIK RATTAN SHARMA

PRESENT ADDRESS - ALOK SHARMA ABOUT 27 YEARS SON OF LATE SH ANMOL RATTAN SHARMA R/O H.NO 2417 PHASE XI MOHALI S.A.S NAGAR,PUNJAB.

SMT SUNITA SHARMA

PRESENT ADDRESS - AGED 61 YEARS WIFE OF LATE SH ANMOL RATTAN SHARMA R/O H.NO 2417 PHASE XI MOHALI S.A.S NAGAR,PUNJAB.

.....Respondent(s)

**BEFORE:**

**HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI , PRESIDENT**

**HON'BLE MR. PREETINDER SINGH , MEMBER**

**FOR THE APPELLANT:**

SONY INDIA

**DATED: 01/12/2025**

**ORDER**

**STATE CONSUMER DISPUTES REDRESSAL COMMISSION,**

**U.T., CHANDIGARH**

<b>Appeal No.</b>	:	117 of 2025
Date of Institution	:	25.02.2025

Date of Decision	:	01.12.2025
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1. M/s Sony India Pvt. Ltd, through its Authorized Representative, Manager at A-18, Mohan Cooperative Industrial Estate, Mathura Road, New Delh-110044
2. M/s Goel Bros., through its proprietor at SCO 307, Sector 35-B, Chandigarh
3. M/s Technocare, Sony Authorized Service Centre, through its Authorized Personal, SCO 128-129, Sector 34-A, Chandigarh 160022

...Appellants/opposite parties

**V e r s u s**

1. Mr.Alaukik Rattan Sharma @ Alok Sharma son of Late Shri Anmol Rattan Sharma resident of House No.2417, Phase XI, Mohali.
2. Smt. Sunita Sharma wife of late Shri Anmol Rattan Sharma resident of House No.2417, Phase XI, Mohali.

.....Respondents/Complainants

**BEFORE: JUSTICE RAJ SHEKHAR ATTRI, PRESIDENT  
MR. PREETINDER SINGH, MEMBER**

**Present:-** None for the appellants.  
Sh.Deepak Arora, Advocate for the respondents.

**JUSTICE RAJ SHEKHAR ATTRI, PRESIDENT**

The appellants/ opposite parties have come up in this appeal assailing the order dated 06.12.2024, passed by the District Consumer Disputes Redressal Commission-I, U.T., Chandigarh, whereby consumer complaint bearing no.376 of 2023 filed by the respondents/complainants was partly allowed as under:-

*“.....In view of the above discussion, the present consumer complaint succeeds and the same is accordingly partly allowed. The opposite parties are, jointly & severally, directed as under:*

- i. To refund amount of Rs.64,560/- to the complainants alongwith interest @ 9% per annum (simple) from the date of filing of this complaint onwards.*
- ii. to pay an amount of Rs.5000/- to the complainants as compensation for causing mental agony and harassment to them.*
- iii. to pay Rs.5000/- to the complainants as costs of litigation.*

*This order be complied with by the opposite parties within a period of 45 days from the date*

*of receipt of certified copy thereof, failing which the amount(s) mentioned at Sr.No.(i) & (ii) above shall carry penal interest @ 12% per annum (simple) from the date of expiry of said period of 45 days, instead of 9% [mentioned at Sr.No.(i)], till realization, over and above payment of litigation expenses.....”*

2. Before the District Commission, it was the case of the complainants, that they purchased a Sony PlayStation 5 for a sum of Rs.64,650/- from Opposite Party No.2 on 10.02.2023 (Annexure C-1). The Opposite Parties issued a warranty valid up to April 2024, including a warranty update (Annexure C-2). The said PS STANDARD GOWR BUNDLE (PSS Hardware) developed problems from the very beginning. In April 2023, the complainants had to approach the Opposite Parties for rectification of recurring errors in the console. Numerous emails were sent regarding the non-functioning of the console, but the Opposite Parties neither refunded the amount paid nor replaced the console (Annexure C-4). The product continues to remain with the service centre, and the console has been tampered with. The console repeatedly crashed while playing games, whether online or offline. Even the earlier replacement console provided by the Opposite Parties was defective in the same manner. Hence, the present consumer complaint was filed before the District Commission.

3. The Opposite Parties contested the complaint, filed their reply, and stated that the complainants approached their service centre on 13.04.2023 alleging a defect in the PSS Hardware. According to the Opposite Parties, the complainants claimed that certain games were getting stuck, showing glitches, and crashing. To understand the issue, the service centre took the PlayStation into custody and thoroughly inspected the device. The Opposite Parties asserted that during game play testing, no defect was observed and that the console functioned normally as per its specifications. They further stated that the service centre recorded a video showing the PlayStation operating without issues. It was contended that the complainants have not produced any material evidence to demonstrate an inherent or manufacturing defect in the unit, nor any technical report supporting their allegations.

4. The contesting parties led evidence in support of their case.

5. The District Commission after hearing the contesting parties and on going through the documents on record, partly allowed the complaint in the manner stated above. Hence this appeal has been filed by the appellants/ opposite parties.

6. None put in appearance on behalf of the appellants on the date of arguments. Accordingly, we have heard the counsel for the respondents; perused the impugned order dated 06.12.2024 as well as the documents placed on record.

7. It is clearly emerging from Annexure C-3 (colly.) that while using the product in question, the respondents had received auto-generated error messages stating **“Something went wrong with this game**

**or app” and “The system is reporting this error to Sony Interactive Entertainment.”** These messages were generated by the console itself at the time of the malfunction and represent system-recorded, simultaneous electronic evidence, which carries a high degree of reliability. The repeated nature of these logs demonstrates that the malfunction was not an isolated occurrence but a recurring technical defect. Such system-generated diagnostic reports cannot be brushed aside lightly, particularly when the appellants have failed to lead any technical, expert, or independent evidence (affidavit of the interested party) to rebut these error reports or to establish that the console was functioning according to the manufacturer’s specifications. Mere oral assertions by the appellants, unsupported by credible technical analysis, cannot override the documentary evidence placed by the respondents.

**8.** Furthermore, the respondents have also placed on record (at page 47 of the District Commission file), the Internet Connection Test Report, which categorically shows that the network connection was successful, stable, and free from any speed-related or bandwidth-related issues. This document clearly rules out any possibility that connectivity problems, slow internet, or network instability were responsible for the repeated crashing of games or applications on the console. In the presence of such clear evidence, the appellants cannot legitimately take the stand that the malfunction was attributable to external factors such as internet connectivity, home networking hardware, or any deficiency on the part of the respondents. The evidence on record convincingly establishes that the malfunction originated within the console itself, and not due to any external cause.

**9.** The District Commission has also rightly observed that the product was taken into custody by the service centre, yet neither a satisfactory repair was carried out nor was a defect-free replacement provided, despite the product being well within the warranty period. The console remained with the service centre for several months, depriving the respondents of the use of the product for which they had paid a substantial amount. Such conduct reflects a failure to honour warranty obligations, which every manufacturer and service provider is legally bound to discharge. This behaviour amounts to a clear deficiency in service and also falls within the ambit of unfair trade practice, as the appellants continued to retain the defective product while avoiding their contractual and statutory responsibilities. The findings recorded by the District Commission are thus fully justified and call for no interference in appeal.

**10.** We therefore find no merit in the present appeal. The appellants have failed to rebut the respondents’ evidence or demonstrate that the product was free from defects.

**11.** In view of the above discussion, it is held that the impugned order passed by the District Commission, being based on the correct appreciation of evidence and law on the point, does not suffer from any illegality or perversity, warranting the interference of this Commission and the same stands upheld.

12. Consequently, this appeal stands dismissed with no order as to cost.
13. Pending application(s), if any, stands disposed of, accordingly
14. Certified copies of this order be sent to the parties, free of charge, forthwith.
15. The concerned file be consigned to Record Room, after completion and the record of the District Commission-I, U.T, Chandigarh, after annexing the additional documents, if any, submitted before this Commission in this appeal, be sent back immediately.

**Pronounced**

**01.12.2025**

**Sd/-**

**[JUSTICE RAJ SHEKHAR ATTRI]**

**PRESIDENT**

**Sd/-**

**(PREETINDER SINGH)**

**MEMBER**

**Rg.**

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**JUSTICE RAJ SHEKHAR ATTRI**  
**PRESIDENT**

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**PREETINDER SINGH**  
**MEMBER**