

**STATE CONSUMER DISPUTES REDRESSAL COMMISSION**  
**CHANDIGARH**  
**REVIEW APPLICATION NO. SC/4/RA/17/2025**  
**IN**  
**SC/4/CC/23/2024**

Karan Bansal  
PRESENT ADDRESS - Chandigarh,CHANDIGARH.

.....Appellant(s)

Versus

FCA India Automobiles Pvt. Ltd. and others  
PRESENT ADDRESS - Chandigarh,CHANDIGARH.

.....Respondent(s)

**BEFORE:**

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

**FOR THE APPELLANT:**

Karan Bansal

**DATED: 07/01/2026**

**ORDER**

**STATE CONSUMER DISPUTES REDRESSAL COMMISSION,**

**U.T., CHANDIGARH**

<b>Review Application No.</b>		<b>17 of 2025</b>
Date of Institution	:	04.04.2024
in Complaint case No.23 of 2024		
Date of decision	:	07.01.2026

Karan Bansal Son of Sh. Sanjeev Kumar Resident of House No. 1080, Sector 4, Panchkula, Haryana,  
Pincode-134112, Mobile No. 81462-81846.

**2nd Address:-**

Karan Bansal Son of Sh. Sanjeev Kumar Residing at Flat No. 3181, Sector 41D, Chandigarh, Pincode-160036

.....Non-applicant/Complainant

**V e r s u s**

1. Stellantis India Private Limited, through its Directors, No.401A, Giga Space IT Park, Delta-1, Viman Nagar, Pune Nagar Road Pune Pincode 411014. Maharashtra. India. Email. [Service.Indiajeep@Stellantis.Com](mailto:Service.Indiajeep@Stellantis.Com)

...Respondent No.1/Opposite party No.1

2. WSL Automobiles Pvt. Ltd. Through is Directors Having is Office at Plot No. 119, Industrial Area Phase-1, Chandigarh (U.T.) Pincode 160002. Mobile No. 75740-41111. Email: [Salesmanager.shd@wslauto.in](mailto:Salesmanager.shd@wslauto.in)

...Applicant/opposite party no.2

3. WSL Automobiles Pvt. Ltd. Through its Service Manager having its Office at Plot No. 119, Industrial Area Phase-1, Chandigarh (U.T.) Pincode 160002. Mobile No. 77106-39991. Email: [servicemanager.chd@wslauto.in](mailto:servicemanager.chd@wslauto.in)

....Respondent no.3/Opposite party no.3

**BEFORE: JUSTICE RAJ SHEKHAR ATTRI, PRESIDENT**

**MR.PREETINDER SINGH, MEMBER**

**Present:-** Sh.Akshay Mittal and Sh.Harsh Nagra, Advocates for the applicant/opposite parties no.2 and 3.

Sh.Sachin Rana, Advocate for the non-applicant/complainant.

Sh.Naveen Sharma, Advocate, counsel for non applicant/ opposite party no.1.

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**JUSTICE RAJ SHEKHAR ATTRI, PRESIDENT**

Instant review application has been filed by the applicant (who is opposite party no.2 in the original complaint and also a dealer) seeking review of the final order dated 17.10.2025 passed by this Commission in Complaint Case No. 23 of 2024, on the ground that there exists an error apparent on the face of record insofar as the liability to refund the purchase consideration of the defective vehicle has been fastened upon applicant/Opposite Party No.2, despite a categorical finding by this Commission that the vehicle in question suffered from inherent manufacturing defects. It has been stated that in case of manufacturing defects found in the vehicle, only the manufacturer can be held liable for refund of the amount paid and not the dealer.

2. In the separate replies filed to this review application, manufacturer/opposite party no.1- Stellantis India Private Limited and also respondent no.1/ the complainant stated that the order passed by this Commission under review being well reasoned, did not suffer from any illegality/error and thus this review application be dismissed with cost.

3. Arguments of the parties on this application heard. We have carefully re-examined the pleadings, evidence, expert report of Punjab Engineering College, Chandigarh, and the findings already recorded in the main order.

4. Before proceeding further, it is significant to mention here that this review application has been entertained by this Commission, keeping in mind the provisions of Section 50 of the CPA, 2019, which empowers the State Commission to review any of the order passed by it if there is an error apparent on the face of the record, either of its own motion or on an application made by any of the parties within thirty days of such order. Relevant part of the said section is reproduced hereunder:-

***“....50. Review by State Commission in certain cases.***

*- The State Commission shall have the power to review any of the order passed by it if there is an error apparent on the face of the record, either of its own motion or on an application made by any of the parties within thirty days of such order.....”*

5. In our view, an “error apparent on the face of the record” refers to a clear and obvious mistake in a judicial decision that can be identified without extensive reasoning or argument. Obvious mistake means an error apparent on the face of the record that is self-evident and can be recognized immediately upon reviewing the record. It does not require a lengthy process of reasoning or the introduction of evidence to establish its existence. Thus, the scope of review jurisdiction permits correction of an apparent error of law, even though the factual findings remain intact.

6. In the main order, this Commission has returned a clear and unambiguous finding that the vehicle purchased by the complainant was suffering from inherent manufacturing defects. This conclusion was based upon repeated service records, persistent unresolved defects, and, most importantly, the

independent expert report of a duly constituted committee of mechanical engineers from Punjab Engineering College, Chandigarh. Thus, once a finding of manufacturing defect has been recorded, the liability to refund the purchase consideration necessarily flows from the doctrine of product liability, which squarely places the primary responsibility upon the manufacturer of the defective product.

7. Section 84 of the Act specifically provides that a product liability action may be brought against a product manufacturer, product seller, or product service provider, as the case may be, for harm caused by a defective product. Where the defect is a manufacturing defect, the manufacturer bears the principal liability. Section 84 of the Consumer Protection Act, 2019 reads as under:-

*“...(1) A product manufacturer shall be liable in a product liability action, if—*

*(a) the product contains a manufacturing defect; or*

*(b) the product is defective in design; or*

*(c) there is a deviation from manufacturing specifications; or*

*(d) the product does not conform to the express warranty; or*

*(e) the product fails to contain adequate instructions of correct usage to prevent any harm or any warning regarding improper or incorrect usage.*

*(2) A product manufacturer shall be liable in a product liability action even if he proves that he was not negligent or fraudulent in making the express warranty of a product...”*

8. During the course of arguments in this review application, the applicant has brought to the notice of this Commission about the recent judgment of the Hon’ble National Commission titled as Tata Motors Limited Versus Harpreet Singh, Revision Petition No.701 of 2022, decided on 12.09.2024, wherein, it has been upheld that in the case of manufacturing defect, manufacturer alone is liable and dealer is not liable. The applicant has also brought to the notice of this Commission regarding judgment of the Hon’ble Supreme Court titled as Hindustan Motors Ltd. and another Versus N.Siva Kumar and another, Civil Appeal No.19991 decided on 20.08.1999, wherein also it was clearly upheld that in the case of manufacturing defect, manufacturer alone is liable and dealer is not liable.

9. In view of above, in the present case, the refund of the purchase consideration alongwith compensation and litigation expenses must legally and logically be directed against Opposite Party No.1 i.e. the manufacturer of the vehicle only. Thus, it appears to be an error apparent on record by directing the dealer/opposite party no.2 to refund the consideration paid by the complainant in respect of the said vehicle, alongwith compensation and litigation expenses, which needs to be reviewed.

10. In view of the above discussion, this Review Application is allowed and the order dated 17.10.2025 passed in consumer complaint bearing no.23 of 2024 is reviewed and modified as under:-

- (i). Opposite party no.1 (manufacturer) is directed to refund the amount of Rs.23,71,581/- (Rs.26,35,090/- minus (-) Rs.2,63,509/- i.e. 10% depreciation on the total cost) received

from the complainant towards purchase of the vehicle in question vide invoice dated 11.05.2022, Annexure C-1 alongwith interest @12% p.a. from 11.05.2022 onwards within a period of 30 days, from the date of receipt of a certified copy of this order, failing which it shall be liable to pay penal interest @13% p.a. on the said amount from the date of passing of this order till realization. This rate of interest will take care of all other financial losses suffered by the complainant towards insurance, expenditure incurred towards visits to workshop etc.

- (ii). Opposite party no.1 (manufacturer) shall pay compensation to the tune of Rs.75,000/- to the complainant for causing him mental agony and harassment and also deficiency in providing service and also to pay cost of litigation to the tune of Rs.35,000/- within a period of 30 days from the date of receipt of a certified copy of this order, failing which the said amounts shall carry penal interest @9% p.a. from the date of passing of this order till realization.

11. However, the complainant is directed to hand over possession of the vehicle in question to opposite party no.2, on receipt of the awarded amounts, so that the same can be handed over to opposite party no.1.

12. Complaint against opposite party no.2 (dealer-WSL Automobiles Pvt. Ltd.) stands dismissed with no order as to cost.

13. All other directions contained in the original order dated 17.10.2025 at Sr no.25 and 27 qua directions regarding first charge of the financier and dismissal of the complaint against Opposite Party No.3, shall remain intact.

14. This order shall become part and parcel of the main order dated 17.10.2025 passed by this Commission in the consumer complaint bearing no.23 of 2024

15. The Review Application stands disposed of accordingly.

16. Certified Copies of this order be sent to the parties, free of charge, forthwith.

17. The file be consigned to Record Room, after completion.

**Pronounced**

**07.01.2026**

**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**