

Mr. Sunil Kumar Jain v. Jaguar Land Rover Automotive PLC and Ors (2017 SCC OnLine CCI 16)

Decision Date: 14.03.2017

Key Words: *abuse of dominance, consumer dispute*

Issue: Whether an exclusive repairer for certain cars was abusing its dominant position?

Rule: Sec. 4 of the Competition Act, 2002

In the present case the Informant has alleged that OP-2 who is the exclusive repairer for cars manufactured by OP-1 is abusing its dominant position by charging exorbitant prices for repair, in violation of Sec 4, of the Act.

The Commission is of the view that the present case the dispute between the informants and OP's is dealing with deficiency in service and is thus a consumer complaint and does not raise competition law issues. The commission thus held that the same dispute falls outside the purview of competition law and accordingly ordered the closure of the case under Sec. 26(2) of the Act.

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