

Sh. Hari Om Ji
m.c.p. 29/11/2024
AD/MS
D. Resame & Libsons
28/11/2024
DRL
H(CMD-3)

JOHNY K. GEORGE ASSOCIATES
ADVOCATES & SOLICITORS

R3. Complex
Pathanamthitta
Kerala- 689645
Ph. 9446913599,
9526913599

advjohnyllb@gmail.com
20/11/2024

LEGAL NOTICE

To,

David
26/11

1. The proprietor, Alankar Super Bazar. Kizhakkedathu Mariam Complex, Pathanamthitta, Kerala 689645.
2. TTK Prestige Limited, Corporate Office, Nagarjuna Castle, "No.1/1&1/2, Wood Street, Ashok Nagar, Richmond Town, Bangalore – 560025., Represented by Managing Director, TTK Prestige Limited, Corporate Office, Nagarjuna Castle, "No.1/1&1/2, Wood Street, Ashok Nagar, Richmond Town, Bangalore.
3. Bureau of Indian Standards, Manakalaya, Building, 9, Bahadur Shah Zafar Marg, New Delhi – 110002., Represented by Director General, Bureau of Indian Standards, Manakalaya, Building, 9, Bahadur Shah Zafar Marg, New Delhi.

Subject: Legal notice for compensation for damages sustained
by explosion of a defective pressure cooker product

DG
DDG (Cort)

Under instructions and authority from my client Devi kurupp S, Aged 43 years, Anjali (H), Maroor, Mallassery P.O, Pathanamthitta, Kerala, India Pin 689646, I serve upon you the following Legal notice,

- The 1st among you is a registered shop, situated in Pathanamthitta and you having a legally binding obligation to protect customer's from products and services that could endanger their mental or physical health.

JOHNY. K. GEORGE
ADVOCATE
PATHANAMTHITTA
Roll No. K/986/05

[Signature]

सु. मन्दिरेयक (मणमन ए. सी. ए. ए. ए.) सचिवालय
I. S. (Communication & CSN) Secretariat
आ. सी. नं.
Dy. No. 1242
दिनांक/Dated. 26.11.24


DG Dy. No. 3573
Dated. 26.11.24

1922
29/11/2024

You also have an obligation to confirm that the products and services you are getting adhere to (Bureau of Indian Standards) BIS requirements.

- The 2nd among you is the company's corporate headquarters are located in Bangalore, as is the manufacturer of the prestigious popular cooker. You have to ensure the quality and safety of items sold to consumers and also to comply with the relevant Indian standards, while manufacturing pressure cookers.
- The 3rd among you is Bureau of Indian Standards. The key responsibility is to maintain the safety standards and ensure the quality of pressure cookers. The Bureau of Indian Standards (BIS) certifies a domestic pressure cooker in India according to IS 2347:2017.

1. The 2nd among you is duty bound to act according to the Bureau of Indian Standards Act. Manufacturing defect occurred due to use of substandard materials and toxic contaminations that have led to manufacturing defects and have cause serious personal injuries. i.e. Due to Defective Design, Manufacture defect & pressure cooker not undergone sufficient (BIS) testing of various parameters which have wrought to cooker explosion and has caused alleged history of a domestic accident leading to fracture of Right distal bones fibula and tibia.
2. The Bureau of Indian Standards (BIS) certifies a domestic pressure cooker in India according to IS 2347:2017. The standard ensures that the cookers are safe, efficient, and high quality, that 3rd among you have committed significant negligence by conducting insufficient testing and other carelessness during the initial planning stage of production, which resulted in a cooker design fault that might have made the cooker intrinsically harmful for regular use. It is the manufacturer's responsibility to ensure that products are free of defects and design flaws and contain proper instructions for safe use.

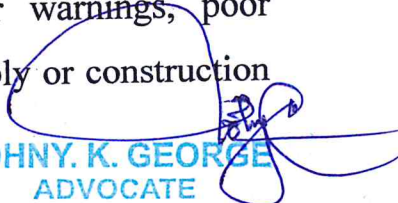

JOHNY. K. GEORGE
ADVOCATE
PATHANAMTHITTA
Roll No. K/986/05

That my client purchased a prestige pressure cooker with a five-litre capacity from you on May 15, 2019, with a ten-year warranty, and that you convinced my client that the prestige pressure cooker has a ten-year warranty, is free of defects, can cook food up to 70% faster than conventional methods, has modern safety features, and has quick-release and slow, natural release options. That on 13.07.2024 around 1.15 pm my client was engaged in cooking food in her kitchen and that about 2:20 Pm pressure cooker manufactured by 2nd among you has suddenly burst and exploded causing alleged domestic accident and in addition to suffering a severe third-degree burn injury, my client also suffered a fracture of the right distal fibula and tibia and a hot liquid spill from exploded cooker. Following the patient was transferred to the emergency department of Muthoot Hospital in Pathanamthitta; a casualty officer assessed the patient and provided initial care management. Thereafter my client was shifted to Believer's Hospital Medical College and she underwent wound exploration, debridement, ORIF of Right distal fibula and tibia. On 18.07.2024 my client was discharge from hospital with following advice, medications and on strict Non weight bearing mobilization of right lower.

The cooker blast has also demolished my magnificent kitchen into a graveyard. That the roof of my kitchen and cooking appliances were destroyed in the blast.

That 1st among you have failed to adhere with the products and services as mentioned in (Bureau of Indian Standards) BIS requirements.

That 2nd among you have caused harm to my client by negligently manufacturing the pressure cooker which inclined to poor design, defective product, lack of testing, lack of danger warnings, poor installation instructions, improper maintenance, assembly or construction

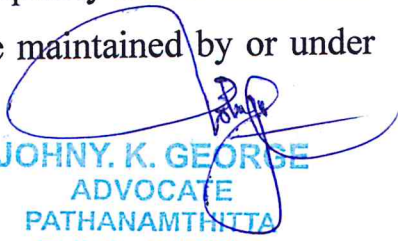

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errors, dangerous materials used in manufacturing, poor material quality, deviation from manufacturing specification so 2nd among you is liable for developing a defective product. The 2nd among you have obtained BIS-certification fraudulently by consciously withholding the non-compliance information of manufacturing standard to 3rd among you (BIS) and 2nd among you have acted an unfair trade practice by not following standards of manufacturing. The 2nd among you is a Commercial Limited company and your purpose is only to earn profit by selling the defective product and it has spawned a very serious fracture of two lower right extremity bones of my client and also developed severe deteriorating health issues to my client.

The pressure cooker have reached 38 degrees hotter than the boiling point of water and a hot liquid spill from exploded cooker , which had cause severe, debilitating burns to my client leaving her permanently scarred.

The 3rd among you (BIS) have not identified any manufacturing defects and have certified the defective cooker design without undergoing rigorous testing of various parameters, such as material quality, safety features, and performance standards and even not checked whether manufacture have complied with relevant Indian standards to sell their products legally in India and 3rd among you have grant ISI Mark and have not ensured that whether this product can be used safely and reliable in a kitchen.

The actions of the 1st, 2nd and 3rd among you within the ambit and scope of unfair trade practice and manufacturing defective product in which the 2nd among you had maliciously, deliberately showcases the fault, imperfection shortcoming or inadequacy in the quality in the nature and manner of performance which is required to be maintained by or under


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any law for time being in force or has been undertaken to be performed by a person in relation to any service.

That my client had spent huge amount of Rs. 103820 /- on her treatment, Extra – Nourishment and bystander expenses 50,000/- etc. but due to, negligence by not conducting sufficient testing and being careless during the initial planning stage of production, which resulted in a cooker design fault that might have made the cooker intrinsically harmful for regular use. My client is entitled to damages from all among you and you all are jointly and severely liable to pay a total amount of Rupees **1,848,820/- (Eighty Lakhs Forty Eighty Thousand eight hundred and Twenty Rupees)** on the bases of the details given below.

PARTICULARS OF LOSS AND EXPENSES

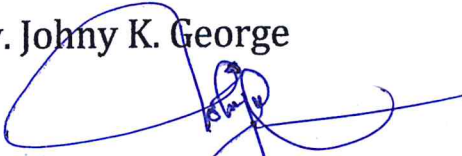
- a) Loss of earnings from 13.07.2024 for 1 year. : Rs. 3, 00,000/-
- b) Medical cost : Rs. 1, 03,820/-
- c) Future medical cost : Rs. 1, 00,000/-
- d) Extra nourishment & by standers : Rs. 150,000/-
- e) Compensation for pain and sufferings : Rs. 10, 00,000/-
- f) Transportation : Rs. 50, 000/-
- g) Loss of consortium : Rs. 20,000/-
- h) Litigation charges : Rs.50, 000/-
- i) Damages caused to house and household items due to cooker explosion : Rs.75, 000/-

THE TOTAL CLAIM AT PRESENT IT IS LIMITED FOR RUPEES 1,848,820/- (Eighty Lakhs Forty Eighty Thousand eight hundred and Twenty Rupees)


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Hence, my client is entitled to get compensation for the hardship caused to my client due to the gross negligence, carelessness, or reckless attitudes. There is a gross negligence from your part. You all failed to meet your duty; your mistakes caused much misery and damages to my client. Those damages include my client's medical expenses, loss of wages, extra nourishment & by standers expense, and pain and suffering. So, you are liable to make the payment of the above-said amount within fifteen days of receipt of this notice, failing which my client will initiate litigation against you for realizing the above compensation, for which you will be liable for all costs and consequences.

Adv. Johnny K. George



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