

## News

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**The Supreme Court reduces the ₹2 crore fine imposed on the model for having a terrible haircut at ITC Maurya to ₹25 lakh.**



***According to the Court, damages cannot be granted based only on the complainant's whims or fancies.***

A National Consumer Disputes Redressal Commission (NCDRC) ruling that had compensated a model for a terrible haircut she had at the ITC Maurya hotel with ₹2 crore was recently partially overturned by the Supreme Court [ITC Limited v. Aashna Roy].

A bench of Justices Rajesh Bindal and Manmohan ruled that there was insufficient evidence to back up the claim for compensation totaling crores.

***"The damages cannot be granted based only on the complainant's whims and fancies or assumptions. The Court noted that some credible and trustworthy evidence must be presented in order to establish a case for a damages judgment, particularly where the claim is for crores of rupees.***

As a result, it reduced the compensation to ₹25 lakh, which the model had previously received in accordance with previous directives.

This is the apex court's second round of litigation in the case.

***The matter began when Aashna Roy, the model, was scheduled to do an interview in April 2018. She had a haircut at the ITC Maurya hotel salon in New Delhi before to the interview.***

Her hair was chopped shorter than she had requested, she claimed. She later accepted the hotel's complimentary treatment, but she later claimed that it had harmed her scalp and hair.

***Roy subsequently complained about a lack of service to the consumer forum, requesting a formal apology and ₹3 crore in compensation for mental stress, harassment, and humiliation.***

The NCDRC found ITC liable for service deficiencies in September 2021 and gave Roy ₹2 crore in compensation.

***In front of the Supreme Court, ITC contested that order. The supreme court upheld the shortfall finding in February 2023, but it revoked the award since it found insufficient evidence to support the large amount.***

After allowing Roy to present evidence and allowing ITC the freedom to refute it, the case was sent back to the Commission to reevaluate damages.

The model increased her claim to ₹5.2 crore before to the NCDRC and added more papers to prove that she had lost important career possibilities. ITC filed a second appeal with the Supreme Court after the NCDRC upheld its verdict of ₹2 crore plus interest at a rate of 9%

annually.

***The Supreme Court ruled in the most recent round of litigation that the complainant had to prove the real damage incurred as a result of the service failure and that compensation could not be decided based on a general rule.***

It stated that the complainant's main evidence for her allegation that she lost out on modeling and movie prospects was photocopies of emails, certificates, and correspondence.

The Court concluded, however, that such evidence alone was insufficient to prove the purported loss.

***The mere production of reproductions of the documents was insufficient to prove this. As the appellant noted, even the differences in the photocopies that the respondent produced on file have been noted above. The verdict said, "Therefore, even after remand, the respondent has not been able to make out a case for awarding such huge compensation."***