



2ND NATIONAL MOOT COURT COMPETITION

ON

CONSUMER PROTECTION LAWS, 2026

ORGANISED BY

CHAIR ON CONSUMER RESEARCH AND POLICY, NUSRL, RANCHI

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MOOT PROPOSITION

27TH FEBRUARY, 2026 – 01ST MARCH, 2026



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MISS RIYA & OTHERS V. SEEKSURE TECHNOLOGIES PVT. LTD. & OTHERS

1. The rapid development of online platforms, smartphones, and other digital technologies has fundamentally transformed consumer behaviour in the modern marketplace. Consumers today rarely purchase any product or service without first undertaking a detailed comparative analysis across multiple digital platforms. This shift has created a culture of informed decision-making, where comparison, evaluation, and optimisation precede purchase.
2. This emerging culture reflects a contemporary manifestation of the doctrine of *caveat emptor*, under which consumers, after identifying a personal need, independently evaluate available alternatives and select what they perceive to be the most suitable product or service. Unlike traditional markets, digital ecosystems enable this process at unprecedented speed and scale.
3. The integration of artificial intelligence into online platforms has further enhanced consumer decision-making. AI-enabled systems now aggregate vast amounts of data, analyse user preferences, and generate personalised comparisons. As a result, consumers increasingly depend on AI-integrated platforms to identify optimal choices, particularly in sectors involving high costs, specialised expertise, or personal sensitivity.
4. Healthcare and cosmetic services represent such sensitive sectors. Decisions relating to cosmetic procedures involve not only financial considerations but also bodily autonomy, personal dignity, and emotional well-being. Consequently, consumers increasingly rely on AI-enabled comparison platforms to navigate complex information relating to clinics, surgeons, pricing, and procedural outcomes.
5. SeekSure Technologies Pvt. Ltd. is a company incorporated under the Indian Companies Act, 2013. It operates an online digital platform described as a “search optimisation and comparison interface.” SeekSure does not directly sell any goods or services. Instead, it aggregates information relating to cosmetic surgery service providers and displays comparative results to users.
6. The platform provides details such as estimated procedure costs, surgeon credentials, clinic ratings, user reviews, and geographic proximity. Once a consumer selects a preferred option, SeekSure redirects the consumer to a third-party clinic’s website for consultation and treatment. SeekSure claims that it functions purely as an informational intermediary.



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7. SeekSure consistently asserts that it is neither a seller nor a marketplace under consumer law. According to the platform, it merely assists consumers in identifying the “most suitable cosmetic procedure and service provider” through AI-driven personalisation tools and therefore falls outside the scope of traditional consumer–seller relationships.

8. In March 2025, Miss Riya, a 26-year-old postgraduate student residing in Ranchi, accessed the SeekSure platform to explore options for a non-invasive cosmetic rhinoplasty procedure. Miss Riya had no prior experience with cosmetic services and relied heavily on online platforms for guidance and comparison.

9. Upon entering basic search parameters, SeekSure displayed an estimated starting price of ₹45,000, prominently highlighted as the “best available option.” The display was accompanied by notifications such as “highly rated clinics near you,” “top matches,” and disclaimers stating that “prices may vary based on profile.”

10. As Miss Riya proceeded further, the platform prompted her to answer a series of questions relating to her age, facial structure, skin type, lifestyle habits, medical background, professional environment, and aesthetic preferences. Each question was marked as “optional,” with an accompanying note stating that “sharing more details helps us personalise recommendations and avoid unsuitable results.”

11. Miss Riya skipped several questions that she considered personal, intrusive, or unnecessary for an initial inquiry. However, the platform repeatedly displayed prompts indicating that incomplete information would result in “generic” or “less accurate” recommendations. Certain clinic listings appeared partially blurred, and price ranges were not fully visible unless additional information was provided.

12. The interface features created an impression that optimal results were conditional upon greater disclosure of personal and medical information. Miss Riya felt subtly pressured to disclose details beyond what she initially intended, despite the platform’s repeated assertion that such disclosures were optional.

13. After selecting a clinic offering the procedure at an estimated price of ₹45,000, Miss Riya was redirected to the clinic’s website through SeekSure’s link. During the consultation booking process, additional charges were gradually introduced, including diagnostic assessments, consultation fees, post-procedure care packages, and facility charges.



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14. By the time a final quotation was generated, the total estimated cost rose to ₹72,000. The price escalation occurred incrementally, with no single consolidated disclosure at the outset. SeekSure disclaimed responsibility, stating that it merely displayed information provided by third-party clinics and exercised no control over final pricing.

15. Although Miss Riya ultimately decided not to proceed with the procedure, she felt misled by the initial price representation and by the gradual escalation of costs. She also expressed concern regarding the repeated nudging to disclose sensitive personal information under the guise of personalisation.

16. Miss Riya approached the District Consumer Commission, alleging that SeekSure's interface design violated her consumer rights, particularly in relation to a sensitive health-related service, as it amounted to the use of a dark pattern, specifically in the form of drip pricing.

17. The District Commission rejected the complaint at the admission stage. The Commission observed that the alleged practices, if established, affected a large number of consumers nationwide using the digital platform and were therefore more appropriately examined by the Central Consumer Protection Authority (CCPA).

18. The Commission further noted that Miss Riya had not suffered any individual or quantifiable loss, as no payment had been made and the final quotation was disclosed before any binding commitment. On these grounds, the complaint was held to be not maintainable before the District Commission.

19. Aggrieved by the rejection, Miss Riya shared her experience on social media, criticising SeekSure's practices as manipulative and misleading. Her post received widespread attention and sparked public debate. Many users alleged that such platforms exploit consumer vulnerability by using AI-driven nudges and fragmented disclosures.

20. Conversely, some users defended SeekSure, arguing that AI-driven personalisation enhances efficiency, saves time, and assists consumers in navigating complex medical choices. According to them, personalisation tools merely offer better matching and do not compel disclosure.

21. In light of the widespread public concern, Digital Consumer Guidance Society (DCGS), a registered consumer rights organisation, approached the Central Consumer Protection



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Authority (CCPA). DCGS alleged that SeekSure's practices constitute dark patterns, even though the platform does not directly sell cosmetic services.

22. DCGS argued that repeated nudging, conditional visibility of information, and fragmented price disclosures undermine meaningful consent and transparency. It further contended that consumer harm may arise even in the absence of direct monetary loss, particularly where digital manipulation influences consumer decision-making.

23. SeekSure opposed the proceedings before the CCPA, reiterating that it does not sell or provide cosmetic services, that all disclosures are optional, and that personalisation tools are intended to improve consumer outcomes. It argued that subjecting such platforms to consumer regulation would stifle innovation and violate the freedom to conduct business.

24. SeekSure further contended that incremental price disclosure is a well-established commercial practice, similar to offline transactions where conditions and additional charges are indicated through fine print or asterisks.

25. SeekSure maintained that modern consumers are digitally literate and capable of understanding online disclaimers and layered disclosures. According to SeekSure, classifying drip pricing as a dark pattern would unfairly target digital platforms and impose disproportionate restrictions, thereby infringing the freedom to carry on trade and business.

26. The Central Consumer Protection Authority partially decided the matter in favour of SeekSure. Aggrieved by the decision, both parties preferred appeals before the National Consumer Disputes Redressal Commission. The National Commission agreed to hear the matter and framed the following issues for consideration:

- i. Whether an online platform that does not directly sell goods or services can be subjected to regulation under the Consumer Protection Act, 2019.
- ii. Whether drip pricing can be validly categorised as a "dark pattern" under the Consumer Protection (E-commerce) Rules, 2020 and the relevant governmental guidelines.
- iii. Whether collecting or nudging consumers to provide more personal information than they initially intended constitutes a "dark pattern."
- iv. Whether practices that affect a large number of consumers fall exclusively within the jurisdiction of the Central Consumer Protection Authority.



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DISCLAIMER

1. The Participants may, with due justification, raise and argue additional issues not expressly enumerated in the present Moot Proposition, provided that such issues arise directly from the Statement of Facts and are relevant to the dispute. No new facts may be assumed, added, or implied beyond those contained in the Moot Proposition.
2. The complaint is being heard in February - March 2026.
3. The events and the characters depicted in the present moot proposition are purely a work of fiction and hypothetical. Any resemblance to actual persons, living or dead, is purely coincidental.
4. This moot proposition is purely intended for Moot Court Competition and educational purposes amongst law students.
5. The contents of the present moot proposition are not intended to defame/denigrate/hurt the feelings/sentiments of any individual(s)/class/classes of individuals, institution(s), community/communities, or organisation(s).