DCDRF North 24 Paraganas Barasat
Kolkata-700126.

Complaint Case No. CC/227/2021
(Date of Filing : 22 Sep 2021)

1. Papiya Mondal, W/O- Mijanur Mondal
Vill- Tildanga, PO- Arbalia, PS- Baduria, PIN- 743437
North 24 Parganas .....Complainant(s)

Versus

1. The Director, Sahara Credit Co-operative Society Limited
Sahara India Bhawan, 1, Kapoorthala Complex, PO & PS- Aliganj, Lucknow- 226024
2. The Branch Manager, Sahara Credit Co-operative Society Limited
Sector Office at Vill & PO & PS- Baduria, 1st Floor of Electric Office, PIN- 743401.
3. The Regional Manager, Sahara Credit Co-operative Society Limited
Badamtala, PO & PS- Madhyamgram, Kolkata- 700129
4. The Regional Director, SEBI, L & T Chambers
3rd Floor, 16 Camac Street, PO & PS- Shakespeare Sarani, Kolkata- 700017. .....Opp.Party(s)

BEFORE:
HON'BLE MR. JUSTICE Smt. Sukla Sengupta PRESIDENT
HON'BLE MR. Sri Abhijit Basu MEMBER
HON'BLE MS. Ms. Monisha Shaw MEMBER

PRESENT:

Dated : 13 Apr 2023

Final Order / Judgement

DIST. CONSUMER DISPUTES REDRESAL COMMISSION

NORTH 24 Pgs., BARASAT.

C.C. No.227/2021

Date of Filing:	Date of Admission:	Date of Disposal:
22.09.2021	31.12.2021	13.04.2023

Complainant/s:- PAPIYA MONDAL, W/o Mijanur Mondal, of Vill. Tildanga, P.O. Arbalia, P.S. Baduria, District North 24 Parganas.

= Vs =

Opposite Party/s:-

1. THE DIRECTOR, SAHARA CREDIT CO-OPERATIVE SOCIETY LIMITED, having its registered office at Sahara India Bhawan, 1, Kapoorthala Complex, P.O. & P.S. Aliganj, Lucknow – 226024.
2. THE BRANCH MANAGER, SAHARA CREDIT CO-OPERATIVE SOCIETY LIMITED, having its Sector Office at Vill. & P.O. & P.S. Baduria, North 24 Parganas, Pin – 743401 (1st Floor of Electric Office).
3. THE REGIONAL MANAGAER, SAHARA CREDIT CO-OPERATIVE SOCIETY LIMITED, at Badamtala, Madhyamgram, P.O. & P.S. Madhyamgram, District North 24 Parganas, Kolkata – 700129.
4. THE REGIONAL DIECTOR, SEBI, L & T Chambers, 3rd Floor, 16 Camac Street, P.O. & P.S. Shakespeare Sarani, Kolkata – 700017.

P R E S E N T **:- Smt. Sukla Sengupta…….President.**

:- Smt. Monisha Shaw …….. Member.

:- Sri. Abhijit Basu……. Member.

JUDGMENT/FINAL ORDER

The case filed by the complainant U/s 35 of the Consumer Protection Act, 2019 (as amended up to date).

The brief fact of the case is as under:-

The Complainant stated that being convinced by the representative of the O.P the Complainant agreed to deposit money in the SAHARA Credit Co-operative Society Limited as a SAHARA monthly scheme.

The Complainant deposited Rs. 24,000/- for SAHARA monthly scheme.

The Opposite Party issued the Pass Book being A/c No. 68724201697 dated 20/07/2012 being Membership No. 68721101030 dated 20/07/2012 which reflected in the Ledger Book of the Opposite Parties.

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The Opposite Party issued said certificate. Even after maturity of the said scheme, the Complainant went to the Office of the Opposite Parties for realizing and / or collecting the matured amount but the Opposite Parties were neglected and refused to refund the matured amount inspite of several demands by the Complainant. Hence, the Complainant filed this case for direction to the O.P. No. 1 to 3 to pay the matured value of the said scheme and other reliefs. O.P. No. 4 filed Written Version.

The O.P. No. 1, 2 and 3 did not contest the case by filing Written Version even after receiving the notice.

There was no allegation against O.P. No. 4 and therefore there is no case against O.P. No. 4.

Reason for Judgment:-

Considering the petition of the Complainant and evidence of the Complainant and documents filed we find that the Complainant had deposited the amount as stated by the Complainant and the O.P. Nos. 1, 2, 3 after maturity of the certificate failed and neglected to pay the matured value. The O.P. Nos. 1 to 3 did not controvert the allegation of the complaint by filing any evidence or any oath. The Complainant proved the case by swearing an affidavit which was not controverted by O.P. No. 1 to 3. Therefore, we find that the Complainant has proved the case and is entitled to get the decree in her favour against O.P. No. 1 to 3.

So far as the O.P. No. 4 (SEBI) is concerned, it is found that the Complainant has not sought for any relief against O.P. No. 4. Hence, O.P. No. 4 is liable to be dismissed. The Complainants invested money to O.P. No. 1, 2 and 3. Hence, O.P. No. 1, 2 and 3 are liable to refund the matured amount.

Hence,

It is Ordered:-

That the case being no. C.C./227/2021 be and the same is allowed ex-parte against O.P. No. 1, 2 & 3 and dismissed on contest against O.P. No. 4.

The O.P. Nos. 1, 2 and 3 are directed to pay the matured value in respect of said scheme being Pass Book being A/c No. 68724201697 dated 20/07/2012 being Membership No. 68721101030 dated 20/07/2012 upon production of original certificate and passbook and document of deposit by the Complainant, along with interest thereon @ 6% p.a. from the date of maturity till recovery of the same within 02 (two) months from the date of this Judgment.

Failing which the Complainant is at liberty to execute the decree according to law.

Let a plain copy of this order be given to the parties free of cost as per the CPR, 2005.

Dictated & Corrected by me

Member

Member **Member** **President**

[HON'BLE MR. JUSTICE Smt. Sukla Sengupta]
PRESIDENT

[HON'BLE MR. Sri Abhijit Basu]
MEMBER

[HON'BLE MS. Ms. Monisha Shaw]
MEMBER