

DIST. CONSUMER DISPUTES REDRESAL COMMISSION
NORTH 24 Pgs., BARASAT.
C. C. CASE NO. 163/2019



Date of Filing:
29.11.2019

Date of Admission
05.03.2020

Date of Disposal:
13.04.2023

Complainant/s:-

= Vs. =

O.P/s:-

SRI SUBRATA MUKHERJEE, Son
of Suraj Mukherjee,
Vill & P.O. Bergoom,
P.S. Habra, Dist- North 24 Pgs, Pin-
743289.

1. Sahara Q Shop Unique Product Range Ltd,
Sahara India Bhawan 1, Kapoorthala Complex,
P.O and P.s. Aliganj, Lucknow-226024.
2. Sahara Q Shop Unique Product
Range Ltd, Sahara India Bhawan,
New Ashirbad Bhawan, Joygachhi,
Jessore Road, P.O. and P.s. Habra,
North 24 Pgs, Pin-743263.
3. The Regional Manager, Sahara Q
Shop Unique Products Range Ltd,
Badamtala, Madhyamgram,
P.O. and P.S. Madhyamgram,
Dist- North 24 Pgs, Kolkata-700129.
4. The Regional Director, SEBI,
L and T Chambers, 3rd floor,
16, Camac Street, P.O. and P.S. Shakespeare
Sarani, Kolkata- 700017.

PRESENT

:- Smt. Sukla Sengupta.....President.
:- Smt. Monisha ShawMember.
:- Sri. Abhijit BasuMember.

JUDGMENT / FINAL ORDER

This is a complaint U/s 12 read with section 13 of the Consumer Protection Act, 1986.

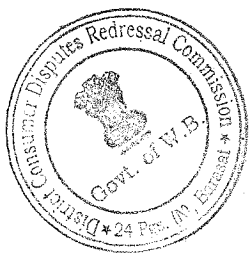
The brief fact of the case is as under:-

The Complainant stated that being convinced by the representative of the O.P. and the Complainant agreed to deposit money in SAHARA Q SHOP UNIQUE SCHEME, the Complainant invested Rs. 60,000/- to SAHARA Q SHOP UNIQUE SCHEME.

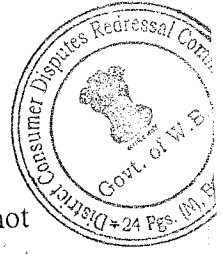
The Opposite Party issued the certificate being no. 562012172476 dated 10/08/2012. The Opposite Party issued said certificate. Even after maturity of the said scheme, the Complainant went to the Office of the Opposite Parties for realizing and or collecting the matured amount. But the Opposite Parties was neglected and refused to refund the matured amount inspite of several demand by the Complainant. Hence, the Complainant filed this case for direction to the O.P. Nos. 1 to 3 to pay the matured value of the said scheme and other reliefs. O.P. No. 1 to 3 did not contest the case by filing written version after receiving the notice. Ld. Advocate for O.P. No. 4 appeared and submitted that there was not allegation against O.P. No. 4. Therefore, there is no case against O.P. No. 4.

Reason for Judgment

Considering the petition of the complaint, Written Version of the O.P. No. 4 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. No. 1 to 3 after maturity of the certificates failed and neglected to pay the matured value. The O.P. No. 1 to 3 did not controvert the allegations of the Complainant by filing any evidence or any oath. The Complainant proved the case by swearing of affidavit which was not controverted by O.P. No. 1, 2 and 3. Therefore, we find that the Complainant has proved the case and is entitled to get the decree in his favour.



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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. Complainant invested money to O.P. Nos. 1 to 3, hence, O.P. No. 1 to 3 are liable to refund the matured amount.

Hence,
It is Ordered:-

That the case C.C./163/2019 be and the same is allowed ex-parte against O.P. No. 1 to 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 the said scheme being certificate nos. 562012172476 dated 10/08/2012 upon production of the original certificates and documents of deposit by the Complainant, along with interest thereon @ 6% p.a. from the date of maturity till payment of the same within 03 (three) months from the date of judgment, failing which the Complainant is at liberty to execute the decree according to law.

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

Dictated & Corrected by me

Abhijit Basu
18/4/23
Member

Abhijit Basu
18/4/23
Member

[Signature]
Member

Suraj La Senapati
18/04/23
President

Handwritten copy 100
Serial No. of the Application _____
Date of receipt of Application 8/5/23
Name of the applicant S. Pal
Date of disposal _____
Date of presentation of Application 8/5/23
Date of preparation of Copy 8/5/23
Amount of fee charged 20/-
Date of dispatch of free
certified copy of order copy
Hand/ Post) on _____

CERTIFIED TO BE TRUE COPY

[Signature]
08/05/2023
Registrar

Dist. Consumer Disputes
Redressal Commission
North 24 Pgs. at Barasat

