

**DCDRF North 24 Paraganas Barasat
Kolkata-700126.**

**Complaint Case No. CC/123/2021
(Date of Filing : 21 Apr 2021)**

1. Ajar Mondal, S/O- Ramjan 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, Locknow-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
North 24 Parganas
3. The Regional Manager, Sahara Credit Co-operative Society
Limited
Badamtala, Madhyamgram, PO & PS- Madhyamgram,
Kolkata- 700129
North 24 Parganas
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. Sri Abhijit Basu PRESIDING MEMBER
HON'BLE MS. Ms. Monisha Shaw MEMBER**

PRESENT:

Dated : 21 Aug 2023

Final Order / Judgement

DIST. CONSUMER DISPUTES REDRESAL COMMISSION

NORTH 24 Pgs., BARASAT.

C.C. No. 123/2021

Date of Filing:

Date of Admission:

Date of Disposal:

01.09.2021

01.10.2021

21.08.2023

Ajgar Mondal, S/o. Ramjan Mondal, Vill-Tildanga,
P.O.Arbalia, P.S. Baduria, Dist-North 24 Parganas, Pin-743437.

= Vs=

Complainant/s:-

1.The Director, Sahara Credit Cooperative Society Ltd,
Its registered office at Sahara India Bhawan, 1, Kapoorthala Complex,
P.O. P.S. Aliganj, Lucknow-226024.

2.The Branch Manager, Sahara Credit Cooperative Society Ltd,
Its Sector Office at Taki Road, Basirhat, Jasoda Bhavan, 1st floor,
Near Falguni Cinema Hall, P.O. Basirhat college, P.S.Basirhat,
Dist- North 24 Parganas, Pin-743412.

**Opposite
Party/s::**

3.The Regional Manager, Sahara Credit Cooperative Society Ltd,
Badamtala, Madhyamgram, P.O.and P.S. Madhyamgram
Dist:- North 24 Parganas, Kolkata-700129.

4.The Regional Director, 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. Maniisha Shaw.....Member

:- Sri. Abhijit Basu.... Member.

JUDGMENT

This is a complaint u/s 35 of the C.P. Act2019.

The brief facts 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 the Sahara E. SHNE Fixed deposit scheme for 96 months.

The complainant deposited total Rs. 5,000/- for fixed deposit scheme.

The opposite party No.2 issued the certificate being No.(1)351000936848 and account No.68723701493 and being membership No.68721102833 dated.10.12.2011.The opposite party No.2 issued said certificate. 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 No. 1 to 3 were neglected and refused to refund the matured amount in spite of several demands by the complainant. Hence the complainants filed this case for direction to the O.P.Nos.1,2 and 3 to pay the matured value of the said scheme and other reliefs.

O.P. Nos. 1,2 and 3 did not contest the case by filing written version after receiving the notice.

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

Contd/-2

C.C. No. 123/2021

: 2 :

Reasons for judgment

Considering the petition of the complainant, evidence of the complainant and documents filed we find that the complainant had deposited the said amount as stated by the complaint and the O.P. Nos. 1 and 3 after maturity of the fixed deposit certificates failed and neglected to pay the matured value. The O.P..Nos.1 to 3 did not controvert the allegations of the complaint by filing any evidence or any oath. The complainant proved the case by swearing of affidavit which was not controverted by O.P. Nos. 1 to 3. Therefore, we find that the complainant has proved the case and is entitled to get the decree in his favour against O.P. Nos. 1 to 3.

So far as the O.P. No. 4- SEBI is concerned found that the complainant has not sought for any relief against O.P. No.4. so, O.P. No.4 is liable to be dismissed.

In the instant case complainant is a consumer as he deposited money and O.P. Nos. 1 to 3 are service provider but O.P. Nos. 1 to 3 failed to provide their service as the O.P. Nos. 1 to 3 did not refund the matured amount as promised which will be treated as deficiency of service on the part of O.P. Nos. 1 to 3 as per Consumer Protection Act. The instant case is within the pecuniary and territorial jurisdiction of this commission. Hence this commission has ample power to try this case. As complainant invested money to O.P. Nos. 1,2 and 3 hence O.P. Nos. 1, 2 and 3 are liable to refund the matured amount.

Hence, it is ordered

that the case being C.C. No. 123 /2021 be and the same is allowed exparte against O.P. Nos. 1 to 3 and dismissed against O.P. No.4.

The O.P. Nos. 1 ,2 and 3 are directed to pay the matured value in respect of said fixed deposit scheme being said A/c. Nos. 68723701493 and certificate No.351000936848 are being Membership No.687211002833 upon production original certificate and documents of deposit by the complainant, along with interest thereon at the rate of 6% p.a. from the date of maturity till payment of the same within two months from the date of judgment. Failing which the complainant it at liberty to execute a decree according to law.

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

Dictated & Corrected by me

Member

Member

Member

**[HON'BLE MR. Sri Abhijit Basu]
PRESIDING MEMBER**

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