

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

**Complaint Case No. CC/222/2021
(Date of Filing : 22 Sep 2021)**

1. Md. Nazibur Rahaman, S/O- Md. Mijanur Rahaman
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. Sri Abhijit Basu PRESIDING MEMBER
HON'BLE MS. Ms. Monisha Shaw MEMBER**

PRESENT:

Dated : 30 Jan 2023

Final Order / Judgement

DIST. CONSUMER DISPUTES REDRESAL COMMISSION

NORTH 24 Pgs., BARASAT.

C. C. No. 222/2021

**Date of Filing:
Disposal:**

22.09.2021
30.01.2023

Date of Admission:

10.12.2021

Date of

Complainant/s:-

MD. NAZIBUR RAHAMAN, Son of Md. Mijanur Rahaman, of

Vill. Tildanga, P.O. Arbalia, P.S. Baduria, District North 24 Parganas, Pin – 743437.

= Vs. =

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 Electric Office)

Opposite Party/s:-

3. THE REGIONAL MANAGER, SAHARA CREDIT CO-OPERATIVE SOCIETY LIMITED, at Badamtala, Madhyamgram, P.O. & P.S. Madhyamgram, Kolkata – 700129, District North 24 Parganas.
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. Monisha Shaw Member.

:- Sri Abhijit Basu.....Member

JUDGMENT / FINAL ORDER

This is a complaint U/s 35 of the Consumer Protection Act, 2019.

The brief facts of the case is as under:-

The Complainant is stated that being convinced by the representative of the Opposite Party and the Complainant agreed to deposit money in the SAHARA CREDIT CO-OPERATIVE SOCIETY LIMITED as SAHARA monthly scheme.

The Complainant invested Rs. 12,000/- for SAHARA monthly scheme. The Opposite Party issued a Pass Book being A/c No. 68724800143 and being Membership No. 68721300114 dated 25.02.2013 which reflected in the Ledger book of the Opposite Party No. 2.

The Opposite Party issued the said pass book but even after the 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 demand by the Complainant. Hence, the Complainant filed this case for direction to the Opposite Party on 1, 2 and 3 to pay the matured value of the said scheme and other reliefs.

The O.P. No. 1, 2 and 3 did not contest the case by filing W/V after receiving the notice issued by this Commission.

Ld. Advocate for O.P. No. 4 appeared and submitted that 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 complaint, written version of O.P. No. 4 and evidence of the Complainant and documents filed, we find that the Complainant had deposited the said amount as stated by the Complainant and O.P. 1 to 3 after maturity of the said scheme failed and neglected to pay the legitimate demand. The O.P. No. 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 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 his 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 and as 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 / legitimate demand.

Hence,

It is Ordered

That the instant case being no.CC- 222/2021 be and the same is allowed on ex-parte against O.P. No. 1, 2 and 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 and / or legitimate amount in respect of said scheme being A/c No. 68724800143 and being Membership No. 68721300114 dated 25.02.2013 upon production of original pass book 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 02 months from the date of judgment, failing which the Complainant is at liberty to take steps for execute the decree according to the law.

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

Dictated and Corrected by me

Member

Member

Member

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

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