

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

**Complaint Case No. CC/158/2019
(Date of Filing : 30 May 2019)**

1. Ashok Debnath

S/O Lt. N. Debnath, Vill.-Uttar Betpul, P.O.-maslandapur, P.S.-
Habra, Pin-743289

North 24 Parganas

West Bengal

.....Complainant(s)

Versus

1. Sahara Q Shop Unique Products Range Limited

Sahara India Bhawan, 1, Kapoorthala, P.O.& P.S.-Aliganj, Pin-
226024

Lucknow

Uttar Pradesh

.....Opp.Party(s)

BEFORE:

HON'BLE MR. Sri Abhijit Basu PRESIDING MEMBER

HON'BLE MS. Ms. Monisha Shaw MEMBER

PRESENT:

Dated : 09 Jan 2023

Final Order / Judgement

DIST. CONSUMER DISPUTES REDRESAL COMMISSION

NORTH 24 Pgs., BARASAT.

C. C. No. 158/2019

**Date of Filing:
Disposal:**

30.05.2019

Date of Admission:

25.06.2019

Date of

09.01.2023

Complainant/s:-

Sri Ashok Debnath, S/o. Late Niranjana Debnath,

Vill-Uttar Betpul, P.O. Maslandpur, P.S. Habra,

Dist-North 24 Parganas, Pin-743289.

-Vs-

1.Sahara Q Shop Unique Products Range Ltd,

Its regd. office at Sahara India Bhawan,

1, Kapoorthala Complex, Aliganj, Lucknow-226024.

2.Sahara Q Shop Unique Products Range Ltd, its Sector office at

New Ashirbad Bhawan, Joygachhi, Jessore Road, P.O. and P.S. Habra,
North 24 Parganas, Pin-743263.

Opposite Party/s:-

3.The Regional Manager, Sahara Q Shop Unique Products Range Ltd,at
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. and P.S. Shakespeare Sarani, Kolkata-700017.

P R E S E N

:- Smt. Monisha Shaw Member.

:- Sri Abhijit Basu.....Member

JUDGMENT / FINAL ORDER

The complainant filed a case U/S. 12 of C.P. Act read with Section 13 of C.P. Act, 1986.

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 Q SHOP UNIQUE PRODUCT RANGE LTD as Sahara advance book / purchase on Gold Bank Scheme and as such the complainant invested Rs. 6,900/- to Sahara Q Shop Unique.

The opposite Party issued the certificate being No.562015416498 dated25.06.2012.

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 were neglected and refused to refund the matured amount in spite of several demands by the complainant. Hence the complainant 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.

Ld. Advocate for O.P. No.4 appeared and submitted that there was no allegations against O.P. No.4 therefore there is no case against O.P. No.4.

Reason for judgment

Considering the petition of the complainant, written version of 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. Nos. 1 to 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

Contd/-2

C. C. No. 158/2019

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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 it 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 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 complainant invested

money to O.P. Nos. 1,2 and 3 therrefore O.P. Nos. 1,2 and 3 are liable to refund the matured amount.

Hence,

it is ordered

that the case be and the same is allowed exparte against O.P. Nos. 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 said scheme being certificate No. 562015416498 25.06.2012 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.

Upon production original certificate and passbook and documents of deposit by the complainant, failing which the complainant is at liberty to execute a decree according to law.

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

Dictated & Corrected by

Member

Member

Member

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

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