**BEFORE THE HON’BLE DISTRICT CONSUMER DISPUTE REDRESSAL COMMISSION, (MAIN) VADODARA**

**CC.No.159/2018**

IN THE MATTER OF:

1. Jagrut Nagrik

Through their Managing Director P. V. Moorjani

Opp. LBS Vidhyalay, Nr. Prerna School,

Sangam, Karelibaug Road, Vadodara.

1. Bipinkumar Indrasingh Rao

101 - Ganadhish Complex,

Near Mahesh Complex, Waghodia Road,

Vadodara.

................ COMPLAINANT

Vs.

1. PANCARD CLUBS LTD.

111/113, Kalidas Udyog Bhavan,

Nr. Century Bazar, Prabhadevi, Mumbai - 400025.

Chairman & Directors:

1. Mrs. Shobha Ratnakar Bharde

A/6 19-50, Jeevan Beema Nagar, Borivali (W), Mumbai - 400103

1. Chandrasen Ganpatrao Bhise

Gopal Niwas, Plot No. 14, Room No. 4,

First Floor, Sion (W), Mumbai - 400 022

............. OPPOSITE PARTY

COMPLAINT UNDER SECTION 35 OF THE CONSUMER PROTECTION ACT

RESPECTFULLY SHOWETH:

1. That the Complainant No. 1 is a consumer advocacy group that files complaints on behalf of other consumers, in this case, against the Opponent, Pancard Clubs Ltd.
2. The Complainant No. 2 is a citizen of India residing in Ganadhish Complex, Vadodara, and the Opposite Parties abovenamed, have their head offices in Mumbai.
3. This complaint relates to the deficiency in financial services of the opposite party faced by the complainant.
4. The Complainant No. 2, Mr. Bipinkumar Indrasingh Rao, had invested a sum of Rs. 2,00,020/- (Rupees Two Lakhs Twenty Only) in the '222 Room Nights' scheme launched and offered by the Opponent, Pancard Clubs Ltd., a financial services company.
5. The said scheme had a tenure of 3 years and 3 months, with the date of maturity being 29/02/2016.
6. As per the terms and conditions of the scheme, the Opponent had assured and represented to the Complainant that upon maturity of the scheme, the Complainant would receive a maturity amount of Rs. 2,79,720/- (Rupees Two Lakhs Seventy Nine Thousand Seven Hundred Twenty Only).
7. Despite the maturity of the scheme on 29/02/2016, the Opponent Party has failed and neglected to pay the assured maturity amount of Rs. 2,79,720/- to the Complainant, thereby committing a deficiency in service and indulging in unfair trade practice.
8. It is pertinent to note that the Securities and Exchange Board of India (SEBI), vide its order dated 29/02/2016 in WTM/PS/170/EFD/FEB/2016, had directed Pancard Clubs Ltd. to wind up all its existing collective investment schemes and refund the money collected under these schemes, along with due returns, to the investors within a period of three months.
9. The Complainant relies on the following evidences:
   1. Receipt of payment of Rs. 2,00,020/- made by the complainant towards the '222 Room Nights' scheme
   2. Letter written by Complainant No. 2 (Bipinkumar Indrasingh Rao) to Complainant No. 1 (Jagrut Nagrik NGO)
10. The complainant has not filed any complaint having the same cause of action in any other forum or court.
11. The complainant resides within the jurisdiction of this Hon'ble Commission. Hence this Hon'ble Commission has jurisdiction to try and entertain this complaint
12. The total consideration amount paid in purchasing the mobile phone is less than Rs. 50 lakhs. Hence, this Hon'ble Commission has jurisdiction to entertain this complaint.
13. The cause of action arose on 29/02/2016 which is within the limitation period prescribed under the Act. Hence, the claim in the complaint is not barred by the law of limitation.
14. The Complainant is complying with the Court Fees Mandated under Rule 7 of the Consumer Protection (Consumer Dispute Redressal Commission) Rules, 2020.
15. It is therefore most respectfully prayed that this Hon'ble Commission be pleased to:
    1. Hold that the Opponent has committed deficiency in service by not paying the maturity amount as per the scheme
    2. Direct the Opponent to pay the maturity amount of Rs. 2,79,720/- along with interest and costs.
    3. Grant any other relief deemed fit and proper in the facts and circumstances of the case.

Dated this day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**COMPLAINANT**

**VERIFICATION**

I, Bipinkumar Indrasinhg Rao, resident of Ganadhish Complex, Waghodia Road, Vadodara hereby declare that I have not misrepresented any facts nor have tried to hide any information in my above complaint. All the facts mentioned herein are true to the best of my knowledge.

Name & signature of the complainant