

**West Bengal Real Estate Regulatory Authority**  
**Calcutta Greens Commercial Complex (1<sup>st</sup> Floor)**  
**1050/2, Survey Park, Kolkata – 700 075.**

Complaint No.WBRERA/COM-000005

Sanjoy Saha

.....Complainant

Vs

Simoco Systems & Infrastructure Solutions Limited

..... Respondent

Sl. Number and date of order	Order and signature of Officer	Note of action taken on order
I ----- 23.02.2023	<p>Complainant is present in the online hearing filing Hazira through email.</p> <p>Mr. Joydeep Dey Authorized Signatory of the Respondent Company is also present in the online hearing filing hazira.</p> <p>Heard both parties in detail.</p> <p>Complainant stated at the time of hearing that he entered into a Agreement for Sale with the Respondent Company on 07.05.2015 for purchase of a flat in the project named 'Sanhita' bearing Flat No. 4E at 4<sup>th</sup> Floor, Block-3B 14, flat type 3 BHK. The date of allotment was on 25.06.2014. As per the Agreement for Sale, delivery of possession was scheduled within 36 months from the date of allotment with a grace period of 6 (six) months, failing which, the Respondent was liable to pay Rs.5.00/- per Sq.ft. of the super built-up area for every month. The Respondent failed to deliver the possession of the flat within the stipulated period of time. Therefore, the Complainant wants his money back from the Respondent including interest.</p> <p>Respondent submitted that they have also offered possession to the Complainant and they are ready to give compensation as per the Agreement</p>	

for Sale but they will provide the compensation only after possession is taken by the Complainant.

After hearing both the parties, the Authority is satisfied to admit this matter for further hearing and order and pleased to give the following directions:-

The Complainant is directed to submit the Written submission in respect of the Complaint Petition on a Notarized Affidavit annexing therewith notary attested copy of supporting documents and send the original affidavit to the Authority serving a copy of the same to the Respondent, both in hard and soft copies, within 30 (thirty) days from the date of receipt of this order by email.

Respondent is directed to submit his total Written Response regarding the Complaint Petition annexing therewith notary attested supporting documents, if any, and send the original Affidavit to the Authority serving a copy of the same to the Complainant, both in hard and soft copies, within 30 (Thirty) days from the date of receipt of the Affidavit of the Complainant.

Complainant is further directed to specifically mention the amount/s which he had paid to the Respondent, mentioning the Money Receipt or Voucher Number with date and also annex notary attested copy of Agreement for Sale, Money Receipts, Allotment Letter and letter for giving delivery of possession by the Respondent, if any, and other documents.

Respondent is further directed to specifically mention in his Affidavit the date of Completion time of the instant project, details of HIRA Registration, if any, number of flats in this project and area of land in Sq.mtr. on which the project has been developed and also positively annex the copy of the Completion Certificate with their affidavit.

Complainant is further directed to submit his Reply or Rejoinder, if any, on a Notarized Affidavit and send the original affidavit to the Authority serving a copy of the same to the Respondent, both in hard and soft copies, within 15 (fifteen) days from the date of receipt of the Affidavit of the Respondent.

Fix **17.05.2023** for further online hearing and order.



(SANDIPAN MUKHERJEE)

Chairperson

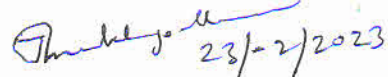
West Bengal Real Estate Regulatory Authority



(BHOLANATH DAS) 27/2/2023

Member

West Bengal Real Estate Regulatory Authority



(TAPAS MUKHOPADHYAY) 23/2/2023

Member

West Bengal Real Estate Regulatory Authority