

West Bengal Real Estate Regulatory Authority
Calcutta Greens Commercial Complex (1st Floor)
1050/2, Survey Park, Kolkata- 700 075

Complaint No. COM000531 (erstwhile WBHIRA)

Prodip Kumar Biswas Complainant

Vs

Evanie Infrastructure Private Limited..... Respondent

Sl. Number and date of order	Order and signature of the Authority	Note of action taken on order
02(Execution) 14.05.2024	<p>Today is the 2nd day of execution hearing of the final order of this matter dated 04.09.2023.</p> <p>Complainant is present in the physical hearing today and signed the Attendance Sheet.</p> <p>The Respondent is absent in the physical hearing today despite due service of hearing notice to the Respondent through speed post and also through email.</p> <p>Let the track record of due service of hearing notice to the Respondent be kept on record.</p> <p>Heard the Complainant in detail.</p> <p>The Complainant stated that Rs.30,000/- has been refunded by the Respondent on 13.02.2024 and at present the balance Principal Amount to be refunded by the Respondent is Rs.19,10,000/- alongwith interest, as per final order dated 04.09.2023.</p> <p>This Authority took serious exception to the fact that in the last order of this Authority dated 07.12.2023, personal appearance of the Directors of the Respondent Company namely</p>	

Mr. Supriya Patra and others have been directed but none of them appeared today before the Authority and they have completely ignored the order of this Authority.

The Authority is of the considered view that the Directors of the Respondent Company are ignoring the order(s) of this Authority and neglecting to comply the directions of this Authority.

As per section 35 of the Real Estate (Regulation & Development) Act, 2016, this Authority can summon and enforce the attendance of persons at the time of hearing and examine them on oath and issue commissions for examination of witnesses and/or documents. This Authority is of the considered view that in exercise of the power conferred under section 35 read with section 40 of the Real Estate (Regulation and Development) Act, 2016, the attendance of the Directors of the Respondent Company is required to be enforced by giving necessary direction to the Police Authority, for proper and effective execution of this matter.

Hence, it is hereby

ORDERED,

- a) That the Bidhannagar Police Commissioner of the Bidhannagar Police Commissionerate shall take all necessary steps to enforce the attendance of the Directors of the Respondent Company namely **Mr. Supriya Patra and Others** on the next date of physical hearing before this Authority on 11.06.2024. He is directed to take all necessary action to produce the Directors of Evanie Infrastructure Private Limited before this Authority and ensure their Attendance as per the provisions of Section 35 (2) read with section 40 of the Real Estate (Regulation & Development) Act, 2016; and
- b) The Secretary, WBRERA is hereby directed to send this order to the Bidhannagar Police Commissioner

immediately by speed post and also electronic communications and request him to comply this order of this Authority and enforce the attendance of the Directors of the **Evanie Infrastructure Private Limited** before the Authority at the time of hearing on 11.06.2024.

On the next date, hearing shall be held physically in the office of the WBRERA Authority.

Fix **11.06.2024** for further hearing and order.



(SANDIPAN MUKHERJEE)

Chairperson

West Bengal Real Estate Regulatory Authority



(BHOLANATH DAS)

Member

West Bengal Real Estate Regulatory Authority