

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/COM000270

Manashi Paul ..... Complainant

Vs.

Simoco Systems and Infrastructure Solutions Ltd..... Respondent no.1

G.S. Electrocom Private Limited..... Respondent no.2

Sl. Number and date of order	Order and signature of the Authority	Note of action taken on order
04 19.06.2024	<p>Complainant is present in the physical hearing and signed the Attendance Sheet.</p> <p>Smt. Laxmi Biswas, being Legal Executive of the Respondent Company, is present in the physical hearing on behalf of the Respondent Company filing authorization and signed the Attendance Sheet.</p> <p>Heard both the Parties in detail.</p> <p>The Complainant stated at the time of hearing that no amount has been received from the Respondent Company till date after the last order of the Authority dated 03.04.2024.</p> <p>Authorized Representative of the Respondent Company stated that they have made payment of Rs.1,00,000/- (Rupees one lakh only) in April, 2024 but she could not produce any evidence or proof in support of the said payment.</p> <p>The Complainant stated that she did not receive any message from her bank account regarding the payment of Rs.1,00,000/- (Rupees one lakh only) by the Respondent.</p> <p>As no proof has been produced by the Respondent in support of the alleged payment of Rs.1,00,000/-, this payment, if any, cannot be recorded in today's order.</p> <p>After examination of the Notarized Affidavit of the Complainant and Notary Attested documents placed on record and after hearing both the parties through physical hearings, the Authority is of the considered view that the Respondent has failed miserably in his obligation to hand over possession of the flat to the Complainant within the scheduled</p>	

timeline and therefore, he is liable to refund the Principal Amount of Rs.12,11,690/- (Rupees Twelve Lakhs Eleven Thousand Six Hundred Ninety only) paid by the Complainant alongwith interest at the rate of SBI PLR +2% per annum for the period starting from the dates of respective payments made by the Complainant till the date of realisation, as per the provisions contained in section 18 of the Real Estate (Regulation and Development) Act, 2016 read with rule 17 and 18 of the West Bengal Real Estate (Regulation and Development) Rules, 2021.


Hence it is hereby,


ORDERED

- a) That the Respondent shall make payment of the principal amount of Rs.12,11,690/- (Rupees twelve lakhs eleven thousand six hundred ninety only) paid by the Complainant alongwith interest @**SBI PLR +2% per annum** for the period starting from the respective dates of payments made by the Complainant till the date of realization, within a period of **45 (forty five)** days from the date of receipt of this order of the Authority through email and the payment shall be made by the bank transfer to the bank account of the Complainant; and
- b) The Complainant shall send her bank account details, to the Respondent by email, within **three (03)** days from the date of receipt of this order through email, in which she wants to take the refund amount; and
- c) If the Respondent fails/neglects to comply the above mentioned order at (a) above within the stipulated timeline, the Complainant is at liberty to submit an application on **A4 paper** praying for execution of this order before the Authority, serving a copy of the same to the Respondent.

With the above directions, the matter is hereby disposed of.

Let copy of this order be served to both the parties through speed post and also by email immediately.

  
(BHOLANATH DAS)  
Member  
West Bengal Real Estate Regulatory Authority

  
(TAPAS MUKHOPADHYAY)  
Member  
West Bengal Real Estate Regulatory Authority