

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

Complaint No. WBRERA/COM000210

Sunanda Nag and Souvik Nag..... Complainants

Vs.

Morias Infrastructure Private Limited..... Respondent No.1

Utkarsh Mishra.....Respondent No.2

Sharad Jain..... Respondent No.3

Sl. Number and date of order	Order and signature of Authority	Note of action taken on order
01 21.11.2023	<p>Shri Souvik Nag, husband of the Complainant and Joint Allottee (Mob. No. 7979889294 & email Id – souvik.nag.1808@gmail.com) is present in the online hearing filing hazira and authorization through email.</p> <p>Respondent is absent in the online hearing despite due service of hearing notice through speed post and also by email.</p> <p>Let the track record of the hearing notice to the Respondent be taken on record.</p> <p>Mr. Nag stated that he is husband of the Complainant as well as joint allottee in the present matter and requested to include his name as a Joint Complainant in the present matter.</p> <p>Considered and granted the prayer of Mr. Nag, husband of the Complainant.</p> <p>Heard the Complainant in detail.</p> <p>As per the Complainants, they had booked a flat bearing no. 3A on the 3rd floor, Block-10, in the project named 'Harmony' of the Respondent Company situated at Mouza Sukhpukur, Beonta-1 number gram panchayat on 18.12.2017 and they have paid total amount of Rs. 3,59,743/- to the Respondent Company till date. But till date the Respondent Company not delivered the flat. The Complainant asked the Respondent Company to refund back the entire amount paid by him and after several telephone conversation they refunded only Rs.40,000/- on 21.09.2022. After that till now he has not received the balance of Rs. 3,19,743/- from the Respondent Developer.</p> <p>The Complainant prays relief before the Authority for refund of the balance Principal Amount of Rs. 3,19,743/- from the Respondent Morias</p>	

Infrastructure Pvt. Ltd. alongwith interest as per the RERA Act and Rules.

After hearing the Complainant, the Authority is pleased to admit this matter for further hearing and order as per the provisions contained in Section 31 of the Real Estate (Regulation and Development) Act, 2016 read with Rule 36 of the West Bengal Real Estate (Regulation and Development) Rules, 2021 and give the following directions:-

Let Shri **Souvik Nag** be included as Joint Complainant in the present matter because he is the Joint Allottee alongwith the Complainant Smt. Sunanda Nag in the present matter and henceforth in all the records of this matter his name shall be included as a Joint Complainant.

Let Shri **Utkarsh Mishra** (mobile- 9752623983, email- utkarsh2265@gmail.com) be included as Respondent no. 2 and **Shri Sharad Jain** (Mobile - 6289165914, email- sharadjain100@yahoo.com) as Respondent no.3 in the present matter because as per the Complainant they are directly related with the said transaction and the Authority is of the opinion that they are necessary parties in this matter and they are required to be added as Respondents in this matter.

The Complainant is directed to submit his total submission regarding his Complaint Petition on a Notarized Affidavit annexing therewith notary attested / self attested copy of supporting documents and a signed copy of the Complaint Petition and send the original Affidavit to the Authority serving a copy of the same to the Respondent, both in hard and soft copies, within **7 (seven) days** from the date of receipt of this order of the Authority through email.

The Respondent is hereby directed to submit his Written Response on notarized affidavit regarding the Complaint Petition and Affidavit of the Complainant, annexing therewith notary attested / self 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 **7 (seven) days** from the date of receipt of the Affidavit of the Complainant either by post or by email whichever is earlier.

Fix **19.12.2023** for further hearing and order.



(SANDIPAN MUKHERJEE)

Chairperson

West Bengal Real Estate Regulatory Authority



(BHOLANATH DAS)

Member

West Bengal Real Estate Regulatory Authority



(TAPAS MUKHOPADHYAY)

Member

West Bengal Real Estate Regulatory Authority