

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

Complaint No.WBRERA/COM/(PHYSICAL)000028

Swapna Roy and Prabuddha Kumar Roy..... Complainants

Vs.

Jalan Builders Pvt. Ltd..... Respondent

Sl. Number and date of order	Order and signature of Authority	Note of action taken on order
03 (Execution) 27.09.2023	<p>Complainant is present in the physical hearing and signed the Attendance Sheet.</p> <p>Mr. Biswajit Mukherjee, Authorized Representative of the Respondent is present in the physical hearing on behalf of the Respondent and signed the Attendance Sheet.</p> <p>Heard both the parties in detail.</p> <p>Both the parties submitted a joint Notarized Affidavit dated 22.09.2023 signed by the Complainant as well as Mr. Pratik Jalan, Director of the Respondent Company.</p> <p>Let the said Joint Affidavit be taken on record.</p> <p>As per the said Affidavit Rs.26,79,412/- has been refunded by the Respondent to the Complainant and the Complainant has received the said payment.</p> <p>Complainant stated at the time of hearing today that no interest amount has been paid by the Respondent as per the order of this Authority dated 11.04.2023 and he prayed before the Authority for necessary direction in this regard.</p> <p>Authorized Representative of the Respondent stated at the time of hearing that there was a mutual settlement between the parties and Complainant accepted the payment as per the mutual settlement and payment has been made by the</p>	

Respondent accordingly. Therefore at this juncture the claim of interest made by the Complainant has no relevance and should be rejected.

Complainant stated that the mutual settlement has been occurred as per order of this Authority dated 11.09.2023 in the hearing for the execution of the final order of this Authority dated 11.04.2023 in which the Authority has specifically directed the Respondent for payment of Principal Amount of Rs.26,79,412/- alongwith interest. Therefore he prayed before the Authority that Respondent should take care of both the Principal Amount and the interest amount at the time of making settlement with the Complainant which the Respondent has neglected/failed to do.

Therefore the Complainant prays before the Authority to kindly consider compassionately the situation of a senior citizen like him and kindly direct the Respondent to make a mutual settlement regarding the interest amount also and pay him a reasonable amount as interest, to be settled between the parties, in the interest of justice and equity.

After hearing both the parties the Authority directs the Complainant to make a prayer in this regard 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 a period of 15 days from the date of receipt of this order of the Authority by email.

Fix 05.12.2023 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