

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/COM000715

Arijit Chowdhury. .... Complainant

Vs.

Prabha Highrise LLP..... Respondent

Sl. Number and date of order	Order and signature of the Authority	Note of action taken on order
01 23.04.2024	<p>Complainant (Mob. No. 8335057742 &amp; email Id: ac36.2015@gmail.com) is present in the online hearing filing hazira through email.</p> <p>Mr. Harish Giria, Partner of the Respondent Company (Mob. No.9831009994, 9830441566 &amp; email Id: <a href="mailto:info@prabhareality.in">info@prabhareality.in</a>, <a href="mailto:casagargiria@gmail.com">casagargiria@gmail.com</a>) is present in the online filling hazira through email.</p> <p>Heard both the parties in detail.</p> <p>As per the Complaint Petition, the Complainant has come to know about the subject matter project of the Respondent Promoter by a broker on 10<sup>th</sup> June, 2023 and selected an unit. But after that they pressurized the Complainant for advance amount. He made Rs.5,00,000/-as advance on 21.06.2023 to the Respondent. The Respondent sent him one Agreement in September,2023. The Complainant and his wife both signed it and returned to them. But till now, he did not receive the agreement copy. Now due to some unavoidable circumstances he has cancelled the booking and requested the Respondent to refund the amount but they denied and pressurized him to buy the unit.</p> <p>The Complainant prays before the Authority for the relief of refund of the entire advance money amounting to Rs.5,00,000/-.</p> <p>Mr. Harish Giria, Partner of the Respondent Company stated at the time of online hearing that they want to resolve the matter amicably by mutual discussion with the Complainant.</p> <p>The Complainant has consented and agreed to the proposal of the Respondent Company to mutually settle the matter, if possible.</p>	

After hearing both the parties, 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:-

At first both the parties are directed to take initiative from both side to mutually settle the matter and if they arrive at a mutual settlement, they shall submit a **Joint Affidavit**, signed by both the parties, containing the terms and conditions of the settlement, and send the Affidavit (in original) to the Authority, within **15 (fifteen)** days from the date of receipt of this order of the Authority through email. If they fail to arrive at any mutual settlement then they are hereby directed to submit Affidavit(s) as per the following directions:-

The Complainant is directed to submit his total submission regarding their Complaint Petition on a Notarized Affidavit annexing therewith notary attested /self-attested supporting documents and a signed copy of the Complaint Petition and send the Affidavit (in original) 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 this order of the Authority by 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 Affidavit (in original) to the Authority serving a copy of the same to the Complainant, both in hard and soft copies, within **15 (fifteen)** days from the date of receipt of the Affidavit of the Complainant either by post or by email whichever is earlier.

Fix **24.06.2024** for further online hearing and order.

  
(BHOLANATH DAS)

Member

West Bengal Real Estate Regulatory Authority

  
(TAPAS MUKHOPADHYAY)

Member

West Bengal Real Estate Regulatory Authority