

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/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
02 <u>19.12.2023</u>	<p>Complainant is present in the physical hearing signed the Attendance Sheet.</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>Complainant submitted Notarized Affidavit dated 23.11.2023, containing their full submission regarding the Complaint Petition, as per the last order of the Authority dated 21.11.2023, which has been received by this Authority on 28.11.2023.</p> <p>Let the said Affidavit of the Complainant be taken on record.</p> <p>Respondent did not submit Written Response till today as per the last order of the Authority dated 21.11.2023.</p> <p>Respondent has been contacted over phone at the time of hearing today and he stated that due to some medical emergency he could not attend the hearing and also given the undertaking over phone that he will attend the hearing on the next date and he prayed for short time to submit the Written Response.</p> <p>Considered and granted the prayer of the Respondent and 10 days time is hereby granted to the Respondent to file Written Response.</p>	

Heard the Complainant in detail.

The Complainant stated that he has paid total Principal Amount of Rs.3,59,743/- out of which Rs.40,000/- has been refunded by the Respondent. At present Rs.3,19,743/- is required to be refunded by the Respondent and he prayed for necessary order in this regard.

After hearing both the parties, the Authority is pleased to give the following directions:-

- a) The Respondent is hereby directed to submit her Written Response on notarized affidavit regarding the Complaint Petition and Affidavit of the Complainant, annexing therewith notary 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 scan copies, within **10 (Ten)** days from the date of receipt of this order of the Authority by email; and
- b) Respondent is hereby directed to submit positively the Written Response within the time mentioned above, failing which, no more chance or time shall be given by the Authority for the ends of speedy disposal of justice, as per section 29(4) of the Real Estate (Regulation and Development) Act, 2016; and
- c) Respondent is further directed to remain present positively on the next date of hearing, failing which, the Authority shall have no other option but to proceed with ex-parte hearing and disposal of this matter; and

Fix **19.03.2024** for further hearing and order.

Sd/-

(SANDIPAN MUKHERJEE)

Chairperson

West Bengal Real Estate Regulatory Authority

Sd/-

(BHOLANATH DAS)

Member

West Bengal Real Estate Regulatory Authority

Sd/-

(TAPAS MUKHOPADHYAY)

Member

West Bengal Real Estate Regulatory Authority

Certified to be true copy

*Handwritten signature*

19.12.2023

Special Law Officer  
West Bengal Real Estate Regulatory Authority