

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

Complaint No. WBRERA/COM000436

Samir Kumar Sengupta. Complainants

Vs

Simoco Systems and Infrastructure Solutions Limited.....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
01 29.04.2024	<p>Complainant (Mob. No. 7550965289 & email Id: ssenguptablg@gmail.com) is present in the physical hearing and signed the Attendance Sheet.</p> <p>Respondent is absent despite due service of hearing notice to the Respondent through speed post and also by email.</p> <p>Let track record of due service of hearing notice to the Respondent be kept on record.</p> <p>Heard the Complainant in detail.</p> <p>As per the Complainant, the Respondent no.1 agrees to sale him flat being No. 1B on the 1st floor under Block-2D 16, having super built up area of approximate 734 sq.ft., and they agreed to deliver the possession to him after 36 months from the date of execution of the Agreement for Sale. The date of allotment of the flat is 21.03.2014 and date of Agreement for Sale is 23.04.2015. The total consideration of the flat is Rs.14,41,890/-. As per the Agreement for Sale the date of delivery of possession of the flat is 36 months from the date execution of the Sale Agreement. After expiry of the schedule time the Respondent Company failed to give him the possession and they did not give the Complainant any kind of response.</p> <p>The Complainant prays before the Authority for the relief of immediate possession of the flat booked by him. He has already paid 80% of the total consideration that is Rs.11,13,464/-.</p> <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</p>	

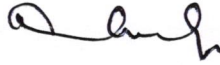
Bengal Real Estate (Regulation and Development) Rules, 2021 and give the following directions:-

Let '**Simoco Systems and Infrastructure Solutions Limited**' be included as **Respondent no.1** as it is a necessary party and required to be included in the present matter for proper adjudication of the matter and **G.S. Electrocom Private Limited** be hereinafter referred to as **Respondent no.2**. Henceforth, in all the records of this matter these corrections shall be reflected.

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 **21 (twenty-one)** 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 **21 (twenty-one)** days from the date of receipt of the Affidavit of the Complainant either by post or by email whichever is earlier.

Fix **18.07.2024** for further hearing and order. On the next date hearing shall be held through online mode.



(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