

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

Complaint No. WBRERA/COM000230

Mrs. Dipa Biswas & Arabinda Biswas..... Complainants

Vs.

Morias Infrastructure Private Limited..... Respondent

| Sl. Number and date of order | Order and signature of Authority | Note of action taken on order |
|------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------|
| 01 21.02.2024 | <p>Complainants are present in the online hearing filing hazira through email.</p> <p>Respondent is absent in the online hearing despite due service of hearing notice to the Respondent through speed post and also email.</p> <p>Let the track record of due service of hearing notice of the Respondent be kept on record.</p> <p>Heard the Complainants in detail.</p> <p>The case of the Complainant is that they have booked two flats bearing Nos. 3A & 3B in the 3rd floor of the project named 'Harmony (Phase-1)' of the Respondent Company on 13.12.2017. The Complainants have paid total amount of Rs.3,45,600/- till date in this regard. The Respondent failed to deliver possession of the flats as per the schedule timeline and therefore the Complainants asked for refund of the principal amount paid by them alongwith interest. Till date the Respondent Refunded Rs.90,000/-in total.</p> <p>The Complainants pray for refund of the balance principal amount of Rs.2,55,600/-alongwith statutory interest.</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 Bengal Real Estate (Regulation and Development) Rules, 2021 and give the following directions:-</p> | |

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

The Complainants are directed to submit their 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 through email.

The Respondent is hereby directed to submit his Written Response on notarized affidavit regarding the Complaint Petition and Affidavit of the Complainants, 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 Complainants, both in hard and soft copies, within **15 (fifteen)** days from the date of receipt of the Affidavit of the Complainants either by post or by email whichever is earlier.

The Respondent is hereby 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 order of this matter for the ends of speedy disposal of justice as per section 29(4) of the Real Estate (Regulation and Development) Act, 2016.

Fix **27.03.2024** 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