

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

Complaint No. WBRERA/COM000270

Manashi Paul Complainant

Vs.

G.S. Electrocom Private Limited..... Respondent

Sl. Number and date of order	Order and signature of Officer	Note of action taken on order
01 16.10.2023	<p>Complainant is present in the physical hearing and signed the Attendance Sheet.</p> <p>Smt. Poulami Chakraborty being Legal Executive of the Respondent Company is present in the physical hearing on behalf of the Respondent Company and signed the Attendance Sheet.</p> <p>Heard both the parties in detail.</p> <p>The Complainant stated that she has booked a flat vide no. 2B9 of Apartment no. 3A in Sanhita Housing Project at New Town of the Respondent Company on 30.12.2019 of total consideration value of Rs.13,45,000/-. She paid total Rs.12,11,690/- till date in this regard to the Respondent as per the Agreement For Sale. As per the Agreement For Sale the Respondent was under obligation to handover the possession of the flat within 30.09.2020 but they have not delivered the flat till today. For their inordinate delay the Complainant has to bear huge living cost and she has to change her planning for purchasing the flat. Complainant is no longer interested with this project and want to get back her paid money with due compensation.</p> <p>In the Complaint Petition, the Complainant prays before the Authority the refund of the Principal Amount paid by him alongwith due compensation.</p> <p>After hearing the Complainant, the Authority is pleased to admit this matter for further hearing and order as per the provisions of 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</p>	

following directions:-

The Complainant is directed to submit her total submission regarding her Complaint Petition on a Notarized Affidavit annexing therewith notary attested / self attested copy of supporting documents and a signed copy of the Complaint Petition and send the original Affidavit to the Authority serving a copy of the same to the Respondent, both in hard and soft copies, within 15 (fifteen) days from today.

Complainant is also directed to make a prayer in her Affidavit to include '**Simoco Systems and Infrastructure Solutions Limited**' as one of the Respondent.

Complainant is further directed that as per section 71 of the Real Estate (Regulation and Development) Act, 2016, the power of adjudging compensation is with the Adjudicating Officer to be appointed by this Authority, which is under process. After appointment of the Adjudicating Officer, the Complainant is at liberty to file an application before the Adjudicating Officer as per section 71 of the RERA Act, 2016 read with Rule 37(1) of the WBRERA Rules, 2021 (as per Form 'N').

The Complainant is at liberty to pray for interest for the period during which the Principal Amount was deposited with the Respondent. She is at liberty to make a prayer in this regard in her Notarized Affidavit.

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 original affidavit 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 **14.12.2023** 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

Certified to be True Copy

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