

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

Complaint No. WBRERA/COM000179

Prithwish Kumar Pal Complainant

Vs.

Simoco Systems & Infrastructure Solutions Limited..... Respondent

Sl. Number and date of order	Order and signature of Authority	Note of action taken on order
02 <u>03.10.2023</u>	<p>Complainant is present in the online hearing filing hazira through email.</p> <p>Mrs. Poulami Chakraborty being Authorized Representative of the Respondent Company is present in the online hearing filing hazira and Authorization through email.</p> <p>The Complainant has submitted his total submission regarding this Complaint Petition on a Notarized Affidavit dated 23.08.2023, containing his total submission regarding this Complaint Petition, as per the last order of the Authority dated 21.08.2023, which has been received by this Authority on 31.08.2023.</p> <p>Let the said Notarized Affidavit of the Complainant be taken on record.</p> <p>The Respondent has submitted his Written Response on a Notarized Affidavit dated 29.09.2023 regarding this Complaint Petition and Affidavit of the Complainant, as per the last order of the Authority dated 21.08.2023, which has been received by this Authority on 29.09.2023 through email.</p> <p>Let the said Written Response of the Respondent received through email be taken on record.</p> <p>Heard both the parties in detail.</p> <p>Complainant stated at the time of hearing he has received till date Rs.3,00,000/- as refunded by the Respondent, Rs.2,00,000/- has been refunded on 02.03.2022 and Rs.1,00,000/- has been refunded on 13.09.2022 by the Respondent. The remaining amount to be refunded by the Respondent is Rs.10,85,500/- alongwith interest as per RERA Act and Rules.</p>	

He requested for necessary direction / order for immediate refund / payment of the said amount.

Respondent stated that they require some more time to make the refund and prayed for necessary permission for payment of the amount in 6 (six) equal instalments.

Complainant at the time of hearing stated that he will accept the payment by the Respondent in certain instalments, if it is ordered by this Authority and the payment is made under the supervision of this Authority.

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

- a) In 6 (six) equal consecutive monthly instalments, starting from November, 2023 ending with April, 2024, Respondent shall make payment of the remaining Principal Amount of Rs.10,85,500/- alongwith interest calculated on the total Principal Amount at the rate of SBI PLR + 2% per annum for the period starting from the respective date of payments made by the Complainant till the date of realization; and
- b) The refund shall be made by bank transfer to the bank account of the Complainant and the Complainant shall send his bank account details in which he wants to take the payment to the Respondent by email within 3 days from the date of receipt of this order of the Authority by email; and
- c) If the Respondent fails / neglects to comply the above order of the Authority, penalty may be imposed upon the Respondent as per the section 38 read with section 61 of the Real Estate (Regulation and Development) Act, 2016, if the Authority thinks fit to do so on the next date of hearing.

The Authority shall review the matter on the next date of hearing.

Fix **18.01.2024** 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