

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/COM000484

Chandana Barik (Das)..... Complainant

Vs

Simoco System & Infrastructure Solutions Limited..... Respondent No. 1

Prosenjit Mukherjee ..... Respondent No. 2

Shayanee Mukerjee..... Respondent No. 3

Sl. Number and date of order	Order and signature of Authority	Note of action taken on order
01 05.04.2024	<p>Advocate Mr. Tapas Kumar Manna (Mob. No. 9831077932 &amp; email Id: tmanna67@gmail.com) is present in the online hearing on behalf of the Complainant filing hazira. He is directed to send his hazira and vakalatnama to the Authority through email after today's hearing.</p> <p>Respondent is absent in the online hearing despite due service of hearing notice to the Respondent through speed post an also through email.</p> <p>Let the 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, she paid Rs.13,79,919/-towards advance against total Rs.14,41,890/-for purchasing a flat of approximately 734 sq.ft. built up area at the project namely '<b>SANHITA at Satuli</b>', Kashipur of the Respondent under the area of BL&amp;LRO, Bhangar, District - 24 Pgs. (South), but even after expiry of agreed 36 months with extension of 6 months as per article 4 of the agreement, the Respondents did not deliver the flat. They actually abandoned the project. Agreement for Sale was executed between the parties on 8<sup>th</sup> May, 2015. The Complainant has been asking for refund since 2021 but the Respondent did not pay though assured. The Complainant is a senior citizen and in need of medical treatment, has been seriously harassed. Advocate's demand notice was also sent. Emails were exchanged. The Complainant prays for refund of money amounting to Rs.13,79,919/-paid with interest @12% p.a. and compensation of Rs.3,00,000/-and cost of Rs.30,000/- and such further amount of cost and compensation as may be considered fit.</p>	

In this Complaint Petition, the Complainant prays for the relief of refund of Rs.13,79,919/-paid with interest @12% p.a. and compensation of Rs.3,00,000/-and cost of Rs.30,000/- and such further amount of cost and compensation as may be considered fit.

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:-

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 **30 (thirty)** 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 **30 (thirty)** days from the date of receipt of the Affidavit of the Complainant either by post or by email whichever is earlier.

Fix **24.06.2024** for further hearing and order.



(SANDIPAN MUKHERJEE)  
Chairperson

West Bengal Real Estate Regulatory Authority



Member

West Bengal Real Estate Regulatory Authority



(TAPAS MUKHOPADHYAY)

Member

West Bengal Real Estate Regulatory Authority