

## 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/COM000131

Saswati Ghosh & Satyen Ghosh.....Complainants

Vs.

Amitava Samanta..... Respondent

Sl. Number and date of order	Order and signature of Officer	Note of action taken on order
<p style="text-align: center;">03</p> <p>----- 07.09.2023</p>	<p>Advocate Hitendra Pramanik and Advocate Subhas Basu are present in the online hearing on behalf of the Complainant filing hazira and vakalatnama through email.</p> <p>Respondent is absent despite due service of notice through speed post and also by email.</p> <p>Let the track records of due service of hearing notice to the Respondent be kept on record.</p> <p>Heard the Advocates of the Complainants in detail.</p> <p>Advocates of the Complainants stated at the time of hearing that no mutual settlement has been arrived at between the parties regarding the payment of interest, as per the last order of the Authority dated 03.08.2023, and therefore he prayed for appropriate order from the Authority regarding payment of interest amount by the Respondent as per the provisions of the RERA Act, 2016, and WBRERA Rules, 2021.</p> <p>After hearing the Complainants and after examination of the documents on record, the Authority is of the considered view that the Respondent is liable to pay the interest calculated on</p>	

the Principal Amount paid by the Complainants at the rate of SBI PLR +2% per annum for the period starting from the date of final payment made by the Complainant till the date of refund of the Principal Amount by the Respondent, as per the provisions contained in section 18 of the Real Estate ( Regulation and Development) Act, 2016 read with rule 17 and 18 of the West Bengal Real Estate ( Regulation and Development) Rules, 2021.

Hence it is hereby,

Ordered,

that the Respondent shall make payment of interest calculated on the Principal Amount of Rs. 7,09,000/- at the rate of SBI PLR+2% per annum for the period starting from the date of last payment made by the Complainant till the date of refund of the Principal Amount by the Respondent and the payment shall be made within 45 days from the date of receipt of this order through email.

The Complainant shall send his bank account details in which he wants to take the interest amount, to the Respondent by email within, 3 days from the date of receipt of this order of the Authority by email.

Complaint is at liberty to file an Execution Application on any plain paper annexing a copy of this Order, to this Authority, if the Respondent defaults to comply this order either in full or in part within the specified time period as mentioned in this order. In that case Respondent might be liable to a penalty for every day during which such default continues, which may cumulatively extend up to five percent, of the estimated cost of the real estate project named '**Dopati**', as determined by this Authority, as per the provision contained in section 63 of the

Real Estate (Regulation and Development) Act, 2016.

Let copy of this order be sent to both the parties through speed post and also by email immediately.

With the above directions the matter is hereby disposed of.



(SANDIPAN MUKHERJEE)

Chairperson

West Bengal Real Estate Regulatory Authority



(BHOLANATH DAS)

Member

West Bengal Real Estate Regulatory Authority