

**ORDER SHEET**


**WEST BENGAL HOUSING INDUSTRY REGULATORY AUTHORITY**

**Complaint No. COM-000180**

**Sukanya Mukhopadhyay.....Complainant**

**AND**

**Evanie Infrastructure Pvt. Ltd.....Respondent**

Sl. Number and date of order	Order and signature of Officer	Note of action Taken on order
2 ----- 10-01-2020  Dictated & corrected by me 	<p>Complainant is present filing hazira.</p> <p>Respondent is absent though notice has been duly delivered along with complaint petition at the address provided by the Complainant and service return has been confirmed by postal slips.</p> <p>The Respondent Company did not participate in the hearing despite repeated opportunity to the Respondent and therefore, this Authority having satisfied decided to proceed ex parte.</p> <p>Heard the Complainant and recorded evidence.</p> <p>The Complainant filed copy of brochure of the project Evanie Econest published by the Respondent Company where the marketing address of the Company is recorded at 86, Golaghata, VIP Road, Jamuna Apartment (1<sup>st</sup> Floor), behind Venkatesh Banquet , Kolkata-700 048 and corporate address as printed is 81, Golaghata, VIP Road, Flat 1B, Radhakunj Apartment, near BIKA Banquet, Kolkata-700 048. The notices were served at these addresses.</p> <p>This is the case of Complainant that on the basis of information published in the brochure he booked a flat of 3 BHK standard with total area of 1079 square ft. super built area in the 4<sup>th</sup> floor along with a parking in the housing complex "Evanie Econest" of the Respondent located at Rajarhat and paid</p>	

Dictated  
& corrected  
by me



total Rs.861415/- till date to the Respondent as the consideration money. The payment made by the Complainant has been duly acknowledged by the Respondent by issuance of money receipt vouchers. The Complainant paid Rs.312500/- on 12.07.2018 vide Voucher No. 2998, Rs.367335/- on 10/01/2019 vide voucher no.8058, Rs.44643/- on 27/10/2017 vide voucher no.1111 and Rs.44643/- on 27.10.2017 vide Voucher No. 1112.

Complainant filed payment receipts and supporting documents duly verified in the form of written submission which is taken on record.

Complainant prayed for refund of the total money from the Respondent.

The evidence produced by the Complainant has been examined.

This is evident that Respondent Company invited applications from the prospective home buyers for the project Econest and the Complainant booked the flat by paying the requisite booking money against application no. EEN003573, which has been duly accepted and confirmed by Respondent Company. The Respondent Company could not fulfil their obligations to complete project and offer possession to the Complainant for the reasons best known to the Respondent Company.

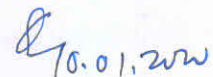
After careful examination of evidence and facts of the case this is hereby,

Ordered,

that the Respondent shall refund the entire amount of Rs.861415/- along with rate of interest as per terms of allotment within 45 days from the date of receipt of this order by bank transfer in the bank account of the Complainant. In the event of Respondent not complying this order within stipulated time period, complainant is at liberty to pray for execution of this order of the Authority.

Complaint petition is thus disposed off.

Communicate this copy of order to both the parties.



(ONKAR SINGH MEENA)  
Designated Authority,  
Housing Industry Regulatory Authority  
Govt. of West Bengal.