



Dictated  
& corrected  
by me



Heard the Complainant. Written statement and evidence filed were taken on record.

This is the case of Complainant that on the basis of information published in the brochure he booked a flat of 2 BHK standard with total area of 535.6 square ft. as advertised by Respondent Company on 30/08/2017 paying Rs.2,57,600/- through cheque no.068762 dated 30/08/2017. Payment of booking amount along with confirmation letter of booking was communicated to the Complainant by Authorised signatory of the Company on Company Letter Head vide Econest/2017/09 dated 04/11/2017.

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. EEM001766 which has been duly accepted and confirmed by Respondent Company. The fact that an amount of Rs.1,00,000/- out of total booking money paid by the Complainant has been refunded to the bank account of the Complainant is a conclusive prove of admission by the Respondent Company that the Complainant booked the flat in their project and 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 Company shall refund the balance amount of Rs.1,57,600/- along with bank interest at the rate of 8% from the date of deposit by Complainant till the date of full refund, within 45 days from the date of receipt of this order.

Let a copy of this order be issued to both the parties for compliance.

The complaint petition is thus disposed off.

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