

ORDER SHEET

WEST BENGAL HOUSING INDUSTRY REGULATORY AUTHORITY

Complaint No. COM-000408

Debdeep Mukherjee.....Complainant

AND

Evanie Real Estate Pvt. Ltd. Of Sri Supriya Kumar Patra Respondent

Sl. Number and date of order	Order and signature of Officer	Note of action taken on order
1 ----- 05.02.2021	<p>Complainant is present in the online hearing filing hazira through email.</p> <p>Ld. Advocate Shri Gourav Banerji is also present in the oneline hearing on behalf of the Respondent filling hazira through email.</p> <p>Heard both the parties at length.</p> <p>Complainant requested this Authority to add the Promoter Company namely 'Evanie Real Estate Pvt. Limited' as Respondent No. 1 by making Shri Supriya Kumar Patra as Respondent No. 2 in place of Respondent No. 1, by making necessary correction in the complaint petition.</p> <p>Considered and allowed the prayer of the Complainant. Let 'Evanie Real Estate Private Limited' be made Respondent No-1 and 'Shri Supriya Kumar patra' be made Respondent No-2. This correction shall take immediate effect.</p> <p>The case of the Complainant is that he booked a 2 BHK flat having total area approx. 535.63 sq.ft. in the project named "Evanie Econest" on 20.10.2017 and he has made total payment of Rs.478147/- till date in this</p>	

regard to the Respondent. The agreement for sale was signed on 14.11.2018.

As per the Complainant the project is visibly in limbo since its inception and the project has not been progressed since the launch of the same.

Therefore, the Complainant prays before the Authority for the relief of the refund of the total amount paid by him along with interest as per law.

After hearing the Complainant, this Authority is pleased to admit this matter for further hearing as per Rule 36(2) of WBHIRA Rules, 2018 as the Authority is of the opinion that there exists sufficient grounds prima facie to proceed for further hearing.

The Complainant is directed to submit his total submission regarding this complaint petition on a notarized affidavit annexing therewith a signed copy of the complaint petition and notary attested photo copies of other supporting documents and send it to the Authority by speed post or by hand delivery and also email a scan copy of the same, after serving a copy to the Respondent in the same way, within 3 weeks from the date of receipt of this order by email.

Respondent is directed to submit their Written Response on a notarized affidavit in respect to the complaint petition and send it to the Authority by speed post or by hand delivery and also email a scan copy of the same, after serving a copy to the Complainant in the same way, within 3 weeks from the date of receipt of the affidavit of the complainant.

Respondent is further directed to submit whether the said project is registered under the provisions of WBHIRA and if so, mention the NPR No. and WBHIRA registration number.


Fix 16.04.2021 for further hearing and order.



(SANDIPAN MUKHERJEE)

Chairperson

West Bengal Housing Industry Regulatory Authority



(HAR GOBIND SINGH)

Member

West Bengal Housing Industry Regulatory Authority



(TAPAS MUKHOPADHYAY)

Member

West Bengal Housing Industry Regulatory Authority