

ORDER SHEET

WEST BENGAL HOUSING INDUSTRY REGULATORY AUTHORITY

Complaint No. COM-000316 of 2020

Manas Mukherjee.....Complainant

AND

Evania Infrastructure Private Ltd.Respondent

Sl. Number and date of order	Order and signature of Officer	Note of action Taken on order
2 ----- 23-09-2020	<p>Complainant is present in the online hearing and sent his hazira through email.</p> <p>Learned Advocate of the Respondent, Shri Gourav Banerji also appeared in the online hearing and sent his hazira through email.</p> <p>The Respondent has submitted a schedule of refund and served a copy to the Complainant. Let the affidavit of the Respondent be taken on record.</p> <p>Heard both the parties in detail.</p> <p>The Complainant submitted that he paid Rs.10 lacs to the Respondent but in the schedule of refund only Rs.8,92,856/- has been proposed to be refunded. He has strong objection in this regard. As the construction has not been done as per the terms and conditions agreed between the parties therefore no cancellation fees can be charged from the Complainant because there is no fault on the part of the Complainant. On the other hand, the Respondent made serious default in the matter of construction of the project. Also the Complainant submitted that the time span of the instalment of refund</p>	

Also the Complainant submitted that the time span of the instalment of refund must be made short otherwise it would not be possible for him to accept the proposal of refund submitted by the Respondent.

The Learned Advocate of the Respondent submitted that the Respondent can make a discussion with the Complainant regarding the total amount and number of instalment of refund, if the Authority permits.

After hearing both the parties the Complainant is directed to submit a rejoinder against the written response of the Respondent within three weeks from the date of receipt of this order by email and send it to the Authority by speed post and also by email serving a copy to the Respondent in the same way.

Respondent has been given the liberty to make discussion with the Complainant so that a mutual settlement can be arrived regarding the total amount and time span and number of instalment of refund payment.

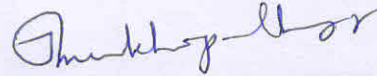
Fix 13.01.2021 for further hearing and order.



(HAR GOBIND SINGH)

Member

West Bengal Housing Industry Regulatory Authority



(TAPAS MUKHOPADHYAY)

Member

West Bengal Housing Industry Regulatory Authority