

ORDER SHEET

WEST BENGAL HOUSING INDUSTRY REGULATORY AUTHORITY

Complaint No. COM-000317 of 2020

Sangeeta Halder.....Complainant

AND

Evanie Infrastructure Pvt. Ltd.....Respondent

Sl. Number and date of order	Order and signature of Officer	Note of action Taken on order
1 ----- 14-08-2020	<p>The Complainant is present in the online hearing and filed her hazira by email.</p> <p>Shri Gourab Banerjee, Ld. Advocate representing the Respondent is also present in the online hearing and filed hazira and vakalatnama through email.</p> <p>Heard both the parties in detail.</p> <p>The case of the complainant is that she booked on 13.12.2017, a 3 BHK flat having area of around 906.25 sq. ft in the Evanie Econest project of the Respondent company.</p> <p>She has made a total payment of Rs. 7,53,811/- to the Respondent in this regard and an Agreement for Sell was executed by the Respondent with the Complainant on 02.06.2018.</p> <p>It is claimed by the Complainant that progress of the project is not at all according to the assurance and the timeline as agreed between the parties and</p>	

till date only some pillars have been erected on the site of the project.

The Complainant prays order for refund of entire payment made by him alongwith admissible interest and compensation as per law.

The Ld. Advocate of the Respondent submitted at the time of hearing that they will submit the Written Response to the Complaint Petition on Affidavit. He also agitated that the Complainant did not file any cancellation request to the Respondent Company.

He also offered to deliver the Complainant an alternate flat which is ready to deliver and having equal facilities.

After hearing both the parties, this Authority is satisfied to proceed for further hearing in terms of Rule 36(2)(e) of WBHIRA Rules, 2018 and accordingly Complainant is directed to send a copy of the signed Complaint petition and self attested photo copies of supporting documents e.g Advertisement of the project, brochure of the project, allotment letter, General Terms and Conditions, Agreement for Sell, all money receipts, correspondences between the parties and/or any other related documents which she has in his possession, to the Authority by speed post and also via email with copy of the same to the Respondent in the same way, within one week from the date of receipt of this order via email.

The Respondent is directed to submit Written Response to the Complaint Petition on Affidavit, containing the Refund Schedule with Specific Dates and Amount of refund and also specific proposal for alternate flat, if any, with equal facilities which they intend to offer to the Complainant, by email and also by speed post to this end and send a copy of the same to the Complainant in the same way, within three weeks from the date of receipt of this order by mail.

Fix 23/09/2020 for further hearing and orders in this matter.

Sd/-
(HAR GOBIND SINGH)

Member
West Bengal Housing Industry Regulatory Authority

Sd/-
(SANDIPAN MUKHERJEE)

Chairperson
West Bengal Housing Industry Regulatory Authority

Certified to be true copy.

Soma De

SOMA DE, WBS
Special Law Officer
Housing Industry Regulatory Authority
West Bengal