

**ORDER SHEET**

**WEST BENGAL HOUSING INDUSTRY REGULATORY AUTHORITY**

**Complaint No. COM-000057**

**Animesh Misra .....Complainant**

**AND**

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

Sl. Number and date of order	Order and signature of Officer	Note of action taken on order
<p style="text-align: center;">8 ----- 11.02.2021 <i>Seny</i></p>	<p>Complainant is present in the online hearing by filing hazira through email.</p> <p>Ld. Advocate, Shri Gourav Banerji, representing the Respondent is also present in the online hearing filing hazira through email.</p> <p>Heard both the parties in detail.</p> <p>Ld. Advocate of the Respondent submitted that it is not possible for the Respondent Company to make any refund at present and he has no instruction from the Respondent Company that when the refund will be made.</p> <p>The Complainant requested the Authority at the time of hearing to take necessary measures for recovery of the refund amount from the Respondent at the earliest.</p> <p>After hearing both the parties and after taking into consideration of the after mentioned fact in this matter, the Authority is of the considered view that the Respondent is deliberately and intentionally violating the orders passed by</p>	

this Authority in this execution proceedings. Several opportunities have been given to the Respondent to make the refund as per the final order of this Authority in this complaint matter dated 06.11.2019 and he was also given the opportunity to make the refund through certain installments but the Respondent did not make any heed to the opportunities given by this Authority and he is making mockery of justice by not making any refund and also he is sending his Advocate without giving him instruction regarding the payment of the refund amount by the Respondent.

Therefore, the Authority is pleased to send this matter to the District Collector, North 24 Pgs. to recover the amount of refund as per the final order of this Authority dated 06.11.2019 by initiating a certificate case under the Bengal Public Demand Recovery Act, 1930 (Bengal 3/1913) and take necessary steps to recover the refund amount as certificate dues as arrears of land revenue.

The Secretary, WBHIRA is directed to send the final order of this Authority dated 06.11.2019 along with certified copies of necessary documents and records of this case to the District Collector, North 24 Pgs., requesting him to initiate a certificate case under the Bengal Public Demand Recovery Act, 1913 as per this order of the Authority.

Complainant is at liberty to pursue with this matter in the office of the District Collector, North 24 Pgs. to get refund of the amount as per the final order of the Authority dated 06.11.2019. He is also directed to send a copy of this order and also a copy of the final order dated 06.11.2019 to all the

addresses of the Respondent and also on the email addresses of the Respondent.

Fix this execution case in the list of cases in the month of July, 2021 for report and compliance.



(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