

ORDER SHEET

WEST BENGAL HOUSING INDUSTRY REGULATORY AUTHORITY

Complaint No. COM-000316

Manas Mukherjee.....Complainant

AND

Evanie Infrastructure Private Limited Respondent

Sl. Number and date of order	Order and signature of Officer	Note of action taken on order
4 ----- 01.04.2021	<p>Complainant is present in the online hearing filing hazira through email. Respondent is absent despite due service of notice. Let the service return be kept on record.</p> <p>Heard the Complainant in detail.</p> <p>Complainant submitted that no refund has been made by the Respondent till date and no initiative has been taken by the Respondent to amicably settle the schedule of refund by mutual discussion.</p> <p>After hearing the Complainant and taking into the consideration the documents and evidences on record, the Authority is of the considered view that the Respondent has made default towards his obligations to the Complainant. He received total money of Rs. 10 lakhs from the Complainant but failed to deliver the possession within the time period of two years from the date of allotment as mutually agreed between the parties. As per the Complainant no substantial construction took place in the project site and no communication has been made by the Respondent about the status and progress of the Construction. Therefore, the Respondent is liable to refund the total money paid by the Complainant along with interest as per the provisions of WBHIRA Act, 2017 and rules made thereunder.</p>	

Hence it is ordered,

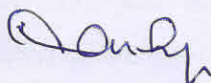
that the Responded shall make refund of Rs. 10 (Ten) lakhs alongwith interest @ SBI PLR plus 2% for the period starting from the date of payment by the Complainant till the date of refund by the Respondent. The refund shall be made by bank Transfer to the bank account of the Complainant within 45 days from the date of receipt of this order.

Complainant is directed to provide his Bank A/c details, in which he will receive the refund amount, to the Respondent by email, within 3 days from the date of receipt of this order.

Complainant is at liberty to make an application to the Authority for execution of this order, if the Respondent fails to make the refund as per this order within the stipulated time period.

With this directions, the matter is hereby disposed of.

Copy of this order be served to both the parties by speed post and also through email.



(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