

West Bengal Real Estate Regulatory Authority
Calcutta Greens Commercial Complex (1st Floor)
1050/2, Survey Park, Kolkata- 700 075

Complaint No.WBRERA/COM 001033

Innovance Advisors Pvt. Ltd Complainant

Vs

Soumita Construction Pvt. Ltd.....Respondent

Sl. Number and date of order	Order and signature of the Authority	Note of action taken on order
03 13.04.2026	<p>Advocate Rituja Mukharjee is present in the hearing through physical mode on behalf of the Complainant and signed the Attendance Sheet.</p> <p>Advocate Masooma Khan (Mobile No:- 8981637107 and Email Id:- lawdesk2@teamtaurus.co.in) is present in today's hearing on behalf of the Respondent Company through online mode by filing hazira through email.</p> <p>Respondent submitted an Affidavit as per Authority order dated 16.05.2025, which has been received on 17.06.2025.</p> <p>Though it was stated by the Respondent on the previous hearing that their affidavit shall be included with the proposal for delivery of an alternative ready to move flat, but the same has not been incorporated in their affidavit. On the contrary, the Respondent raised points regarding default in payment by the Complainant on different occasions.</p> <p>The Respondent admitted at the time of hearing, that their project has not been completed as yet and therefore has not obtained OC or CC. The Respondent was asked whether they have taken action for getting extension for their project, the Advocate of the Respondent could not confirm it except stating that she need instruction from her client to reply this.</p> <p>Complainant also submitted a rejoinder in response to the affidavit of the Respondent, which has been received on 29.10.2025, in which, Complainant denied the allegations made by the Respondent regarding default in payments and stated that all the payments corresponding to the completion related demands raised by the Respondent were duly made by the Complainant in a timely manner and relevant documents in support of such payments have already been submitted by the Complainant along with the complaint. The complainant also pointed out that the registration of the instant project "The County" before WBRERA has already expired and the Respondent has neither sought for extension of the registration nor updated the status on the WBRERA website violation section 6 and 7 of Real Estate (Regulation and Development) Act, 2016. In spite of specific directions, the Respondent has not come up with proposal for delivery of an</p>	

alternative ready to move flat as yet.

As such, the Complainant prayed before the Authority to direct the Respondent to refund the principal amount paid by the Complainant along with interest as per their initial submission in the original complaint petition.

Now, after hearing both the parties and going through other documents and affidavits the Authority is of the opinion that the Respondent has miserably failed to handover the possession of the flat to the Complainant within the stipulated date as per terms and condition of Agreement for Sale and is therefore, liable to make refund the Complainant the principal amount invested by him along with interest as per provision of the Real Estate (Regulation and Development) Act, 2016.

Now after hearing, the Authority is hereby pleased to give the following directions:-

- A. As per provision of section 18 of Real Estate (Regulation and Development) Act, 2016 read with Rule 18 of WBREERA Rules, the Respondent shall refund the Complainant the principal amount of Rs. **24,46,899/-** along with interest at the rate SBI PLR +2 per cent to be calculated from the date of payment of the principal amount by the Complainant till the date of refund of the same, by the Respondent, through bank transfer within **45 (forty-five) days** from the date of receiving this order of this Authority by speed post or by email whichever is earlier.
- B. The Complainant shall send their bank account details to the Respondent within **5(five) days** from the date of receiving this order through email.
- C. The Respondent shall submit through notarized affidavit whether they have complied with the provision of section 6 of WBREERA Act, in taking the extension of registration for their project from the Authority or not. They shall submit the affidavit within **30(thirty) days** from the date of receiving this order of this Authority by email.

Fix **15.06.2026** for further hearing and order.

Let copy of this order be served to both the parties immediately.



(JAYANTA KR. BASU)

Chairperson

West Bengal Real Estate Regulatory Authority



(TAPAS MUKHOPADHYAY)

Member

West Bengal Real Estate Regulatory Authority