

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

Complaint No. WBRERA/COM001209-C.P.

Subhadeep Roy. Complainant

Vs.

G.S. Electrocom Private Limited. Respondent.

Sl. Number and date of order	Order and signature of Authority	Note of action taken on order
02 26.05.2025	The Complainant, Subhadeep Roy, represented by his Learned Advocate, Dipankar Mondal is present online in the instant hearing today. He has submitted his hazira, and attendance which should be kept in record. The Respondent, G.S. Electrocom Private Limited is represented by its Legal Executive, Laxmi Biswas appeared online at the time of hearing of the instant Complaint. She is directed Vakalatnama and Hazira physically or online which should be kept in record. The Complainant stated that he has submitted Notarized Affidavit dated 23/11/2024, containing his full submission regarding this Complaint Petition, as per the last Order of the Authority dated 21.03.2025, which has been received by the Authority on 28.03.2025. Let the said Affidavit of the Complainant be taken on record. The Respondent has filed Written Response dated 19/05/2025 in response to the Affidavit filed by the Complainant which has been received by this Authority on 20/05/2025. Let the said Affidavit of the Respondent be taken on record. The Learned Advocate appearing on behalf of the Complainant stated that the Respondent has failed to pay the first and second installments as the Respondent committed to pay the refund amount as per their own schedule as stated in the Order No. 1 and also as stated in their own Written Response where in they have made a Refund Schedule. The Learned Advocate appearing on behalf of the Respondent stated that due to financial stringency the Respondent is now unable to refund the full amount but the Respondent has made a part payment of the first installment amounting RS.100000/- (one lakh) only and the rest amount will be paid very soon as per schedule and she prayed for time to pay the principal amount. The Learned Advocate for the Complainant stated that as per the Affidavit filed by the Respondent in the total five installments totally out of 9 lakh only 1(One) lakh has been made by the Respondent on 21.5.2025 which is total violation of the Order No. 1 dated 21.03.2025. He stated that his client has taken loan from UCO Bank and the Complainant	

has paid Rs.22 Lakh out of which only one lakh has been refunded. The Respondent has not filed any supporting document for their financial crisis so it is crystal clear that the motive of the Respondent is only to harass the Complainant.

The Learned Advocate appearing on behalf of the Complainant prayed for fixing the date of refund of the principal amount and the interest amount and to impose penalty for delaying in payment as mandatory in the Act and further he also submitted that for violation of the same the Respondent should be penalized as per the provision of the Act.

After hearing both parties, the Authority is pleased to give the following directions:-

- a) The Complainant is hereby directed to file supplementary Affidavit, if any, in response to the Written Response filed by the Respondent annexing all supporting documents self-attested or notary attested should be sent to the Authority as well as Respondent both in hard and soft copy within **14 (fourteen) days** from date; and
- b) The Respondent is further directed to make payment as per the payment schedule for the month of April, 2025 and May, 2025 as directed in the Order No. 1 dated 20.3.2025 positively within the next date of hearing and to furnish the payment details; and
- c) The Respondent is further directed to appear physically on the next date of hearing with all relevant documents including Balance Sheet signed by the project Chattered Accountant and also the progress of the work signed by the concerned project engineer and he should also submit updated quarterly project report and other relevant information including the number apartment/flats and the number of flats already booked and yet to be booked;
- d) The Respondent is further directed as to why Section 3,4,59,60,61,63 of the WBRERA Act, 2016 should not be invoked against them for willful violations of the said Act and the directions of the Authority.

Fix **6(six) weeks** for further hearing and order.



(JAYANTA KR. BASU)

Chairperson

West Bengal Real Estate Regulatory Authority