

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

Complaint No.WBRERA/COM000063

Monaisa Niyogi ..... Complainant

Vs.

Evanie Infrastructure Private Limited..... Respondent

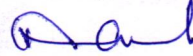
Sl. Number and date of order	Order and signature of Officer	Note of action taken on order
01(Execution) 07.05.2024	<p>Today is the 1<sup>st</sup> day of execution hearing of the final order dated 28.06.2023 passed in this matter.</p> <p>The Complainant has submitted an Execution Application dated 17.11.2023, which has been received by this Authority on 21.11.2023.</p> <p>Let the said Execution Application of the Complainant be taken on record.</p> <p>Complainant is present in the online hearing filing hazira through email.</p> <p>Respondent is absent in the online hearing despite due service of the hearing notice to the Respondent through speed post and also by email.</p> <p>Let the track record of due service of hearing notice to the Respondent be kept on record.</p> <p>Heard the Complainant in detail.</p> <p>The Complainant stated that she has not received any amount till date from the Respondent Company, as per the last order of the Authority dated 28.06.2023, and she prayed for immediate execution of the said order, as per the provisions of the Real Estate (Regulation &amp; Development) Act, 2016 and Rules made thereunder.</p> <p>The Authority took serious exception to the fact that the Respondent completely ignored and neglected to comply the order of this Authority dated 28.06.2023 and did not refund any amount till date to the Complainant.</p> <p>Therefore, the Authority is of the considered opinion that Directors of the Respondent Company are required to be present in person before the Authority on the next date of hearing and submit on Affidavit that why a</p>	

penalty of Rs. 5.00 (five) lakhs shall not be imposed upon them for non-compliance of the order dated 28.06.2023, as per the provisions contained in section 38 read with section 61 of the Real Estate (Regulation and Development) Act, 2016.

Hence it is hereby ordered,

- a) That all the Director(s) of the Respondent Company shall be present on the next date of physical hearing in person before the Authority and submit an Notarized Affidavit, before the next date of hearing, showing causes/reasons for non-imposition of penalty of Rs.5,00,000/-by the Authority upon the Respondent, for complete non-compliance of the order of the Authority dated 28.06.2023; and
- b) Respondent shall also provide a **Refund Schedule**, in the same Affidavit as directed at (a) above, specifically mentioning the date and amount of installments by which they will pay the amounts, as directed in the order of this Authority dated 28.06.2023, and shall start payment accordingly.

Fix **10.06.2024** for further hearing and order.



(SANDIPAN MUKHERJEE)

Chairperson

West Bengal Real Estate Regulatory Authority



(BHOLANATH DAS)

Member

West Bengal Real Estate Regulatory Authority



(TAPAS MUKHOPADHYAY)

Member

West Bengal Real Estate Regulatory Authority