

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

Complaint No. WBRERA/COM000197

Rathindra Mohan Banik ..... Complainant

Vs.

Prosenjit Mukherjee, Managing Director of  
Simoco Systems & Infrastructure Solutions Limited..... Respondent

Sl. Number and date of order	Order and signature of Officer	Note of action taken on order
01 <hr/> 04.09.2023	<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 hearing notice 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>As per the Complainant he has booked an 3 BHK apartment bearing No. 1F, Floor- 1<sup>st</sup> in the building of 3B 30 in the project named as '<b>Sanhita Housing Project</b>', situated at Rajarhat, Kolkata of the Respondent Company in the year 2014. He stated that the Agreement for Sale was executed between the Respondent and the Complainant in the year 2015. As per the Agreement for Sale he has paid Rs.10,27,775/-from time to time from the year 2014 to 2017. As per Agreement for Sale the delivery of possession of the flat was scheduled to be delivered within 2018. He has observed that during last 7 years no construction work was done in the Building 3B 30. Even after 9 years the building has not been constructed and no construction work has been going on for more than 7 years.</p> <p>The Complainant prays before the Authority for refund of the</p>	

principal amount of Rs.10,27,775/- (Rupees ten lakhs twenty seven thousand seven hundred seventy five only) alongwith interest as per RERA Act.

After hearing the Complainant, the Authority is pleased to admit this matter for further hearing and order and give the following directions:-

The Complainant is directed to submit his total submission regarding his Complaint Petition on a Notarized Affidavit annexing therewith notary attested supporting documents and a signed copy of the Complaint Petition and send the original Affidavit to the Authority serving a copy of the same to the Respondent, both in hard and soft copies, within 15 (fifteen) days from the date of receipt of this order through email.

The Respondent is hereby directed to submit his Written Response on notarized affidavit regarding the Complaint Petition and Affidavit of the Complainant, annexing therewith notary attested supporting documents, if any, and send the original to the Authority serving a copy of the same to the Complainant, both in hard and soft copies, within 15 (fifteen) days from the date of receipt of the Affidavit of the Complainant either by post or by email whichever is earlier.

Fix **07/11/2023** for further hearing and order.



(SANDIPAN MUKHERJEE)  
Chairperson

West Bengal Real Estate Regulatory Authority



(BHOLANATH DAS)  
Member

West Bengal Real Estate Regulatory Authority