

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

Complaint No.WBRERA/COM000644

Merlin Projects Limited..... Complainant

Vs

Mahmuda Khatoon & Ors..... Respondents

Sl. Number and date of order	Order and signature of the Authority	Note of action taken on order
03 09.08.2024	<p>Mrs. Deepa Das (Mob. No. 9836301188 & email Id: deepa.das@merlinprojects.com) and Mrs. Prachi Gourisaria, being the Authorized Representatives of the Complainant Promoter Company, are present in the physical hearing filing authorization and signed the Attendance Sheet.</p> <p>Mr. Miraj Ali (Mob. No. 9681881888 & email Id: alimiraj0786@gmail.com) who is one of the Respondent as well as son and Authorized Representative of another Respondent Mahmuda Khatoon is present in the physical hearing and signed the Attendance Sheet.</p> <p>The Complainant submitted a Notarized Affidavit dated 07.08.2024, as per the last order of the Authority dated 20.06.2024, stating the details of deductions made by the Complainant alongwith reasons for such deductions from the total amount of Rs.6,25,150/- paid by the Respondent.</p> <p>Let the said Affidavit of the Complainant dated 07.08.2024 be taken on record.</p> <p>Heard both the parties in detail.</p> <p>The Complainant stated at the time of hearing that they have given a detail calculation of the total amount paid by the Respondent and the deductions which have been made by the Complainant from the said amount and it has been provided at page no.4 of the Affidavit of the Complainant dated 07.08.2024. Total Amount paid by the Respondent is Rs.6,25,150/- and the total deductions made by the Complainant is Rs.5,68,574/- and total refund made is Rs.56,576/-. The total deduction of Rs.5,68,574/- contains the cancellation charge of Rs.4,43,000/- and GST on the cancellation charge at the rate of 18% which is Rs.79,740/- and GST on the demands raised by the Complainant but not paid by the Respondent, amounting to Rs.45,834/-.</p> <p>Therefore, as per the Complainant, the Respondent shall get refund of Rs.45,834/- which is the GST Amount on two demands which have not been paid by the Respondent. The Complainant shall give all co-operation to the</p>	

Respondent so that he get the refund of Rs.45,834/- from the GST Authority.

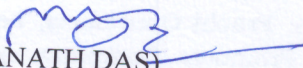
Complainant stated that they have already refunded Rs.56,576/- to the Respondent and Respondent stated that he has received the payment.

After hearing both the parties and taking into consideration the Affidavit of the Complainant dated 07.08.2024, the Authority is hereby pleased to direct the Complainant to provide all co-operation and necessary documents to the Respondent-Allottee so that he can get refund of the GST amount of Rs.45,834/- from the GST Authority at the earliest.

With the above directions the matter is hereby disposed of.

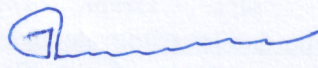
Let copy of this order be served to both the parties by speed post and also by email immediately.

Let the order be uploaded in the website of WBREERA (www.rera.wb.gov.in) under the heading '**Authority Order**' immediately.


(BHOLANATH DAS)

Member

West Bengal Real Estate Regulatory Authority


(TAPAS MUKHOPADHYAY)

Member

West Bengal Real Estate Regulatory Authority