

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

Complaint No. WBRERA/COM (PHYSICAL)000044

Krishna Deshmukhya. Complainant

Vs

Simoco Systems & Infrastructure Solutions Ltd..... Respondent

Sl. Number and date of order	Order and signature of the Authority	Note of action taken on order
02 11.07.2024	<p>Complainant (Mobile No. 7001746797 & email Id: trinit.deshmukhya@gmail.com) is present in the physical hearing and signed the Attendance Sheet.</p> <p>Legal Executive Ms. Laxmi Biswas (Email Id: laxmi.biswas@simoco.net & Mob. No.9818665867) being Authorized Representative of the Respondent Company is present in the online hearing on behalf of the Respondent filing hazira and Authorization through email.</p> <p>Complainant submitted Notarized Affidavit dated 22.05.2024, containing her full submission regarding this Complaint Petition, as per the last order of the Authority dated 13.05.2024, which has been received by this Authority on 27.05.2024.</p> <p>Let the said Affidavit of the Complainant be taken on record.</p> <p>Respondent also submitted a petition dated 29.06.2024 for Condonation of Delay for filing Written Response after the stipulated time period.</p> <p>Let the said Petition of the Respondent be taken on record.</p> <p>Considered and granted the prayer of the Respondent and Condoned the Delay for filing Written Response.</p> <p>Respondent submitted Written Response on Notarized Affidavit dated 20.06.2024, to the Complaint Petition and the Affidavit of the Complainant, which has been received by this Authority on 03.07.2024.</p> <p>Let the said Written Response of the Respondent be taken on record.</p> <p>Heard both the parties in detail.</p> <p>The Complainant stated that she has received Rs.2,00,000/- as refund from the Respondent till date.</p>	

The Respondent submitted a **Refund Schedule** in its Affidavit at point no. 10 and he proposed that he will refund the Principal Amount in six (6) number of installments starting from July 2024 ending with December 2024.

Respondent also stated that they have paid Rs.2,00,000/- in the month of July 2024 to the Complainant.


The Complainant stated that she has no objection to take the refund of the remaining Principal Amount in six (6) installments if the refund is made alongwith statutory interest at the rate of SBI PLR+2% per annum as per the provisions of the RERA Act.

After hearing both the parties and taking into consideration the Affidavits placed on record, the Authority is hereby pleased to give the following directions:-


- a) The Respondent shall make refund of the balance Principal Amount of **Rs.14,76,541/- (Rupees Fourteen Lakhs Seventy Six Thousand Five Hundred Forty One only)** alongwith interest at the rate of SBI PLR+2% per annum, calculated on the Principal Amount paid by the Complainant, from the respective dates of payments made by the Complainant till the date of realization, in six (6) consecutive monthly installments starting **from July, 2024 ending with December, 2024** and the payment shall be made by bank transfer to the bank account of the Complainant; and
- b) Complainant shall send her bank account details to the Respondent within **3 days** from the date of receipt of this order of the Authority through email.

The Authority shall review the matter on next date of hearing. On the next date hearing shall be held through **online mode through zoom app** and hearing link shall be sent to both the parties accordingly.

Fix **12.11.2024** for further online hearing and order.


(BHOLANATH DAS)
Member

West Bengal Real Estate Regulatory Authority


(TAPAS MUKHOPADHYAY)
Member

West Bengal Real Estate Regulatory Authority