

**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/COM (PHYSICAL)000019

Malati Mukherjee

..... Complainant

Vs

Usashi Real Estate Pvt. Ltd.

..... Respondent

Sl. Number and date of order	Order and signature of Officer	Note of action taken on order
4 ----- 31.03.2023	<p>Complainant is present in the hearing and signed the attendance sheet.</p> <p>Mr. Shourya Basu, Advocate of the Respondent is also present in the hearing and signed the attendance sheet.</p> <p>The Respondent submitted Written Response on Notarized Affidavit as per the direction of the Authority dated 09.03.2023 and it was received by the Authority on 27.03.2023.</p> <p>Let the Affidavit of the Respondent containing their Written Response be taken on record.</p> <p>Heard both parties in detail.</p> <p>The case of the Complainant is that, she booked a flat in the project named '<b>Prima Town Platinum</b>' of the Respondent bearing Flat No. E-2/1, at the 1<sup>st</sup> Floor of the project. The Agreement for Sale was executed on 16.07.2017. Complainant has deposited total Rs. 2,58,000 ( Rupees two lakhs fifty eight thousand) the Respondent company for the purchase of this flat.</p> <p>The Authority is of the view that the Respondent failed to deliver possession of the flat booked by the Complainant as per the schedule</p>	

date of delivery as given in the Agreement for Sale. Therefore the Respondent defaulted in his obligation in giving delivery of possession of the flat booked by the Complainant in due time and he is bound to give refund to the Complainant as per the RERA Act and Rules.

It is hereby,

**ORDERED**


that the Respondent shall make refund of the Principal Amount of Rs.2,58,000/- (Rupees two lakhs fifty eight thousand) only to the Complainant along with interest @ **SBI Prime Lending Rate + 2% p.a.**, from the date of respective payments made by the Complainant till the date of realization. The refund shall be made by bank transfer to the bank account of the Complainant, within 45-days from the date of receipt of this order of the Authority by email.

The Complainant shall provide her bank account details, to the Respondent by email, in which she wants to take the refund amount, within 3 (three) days from the date of receipt of this order of the Authority by email.

The Complainant is at liberty to file an execution application before this Authority, if the Respondent fails to comply this order within the stipulated time period.

Copy of this order be served to both the parties by Speed Post and also by email immediately.

With the above directions the matter is hereby disposed of.



(SANDIPAN MUKHERJEE)

Chairperson

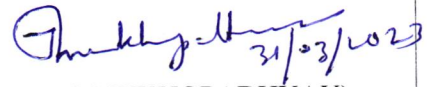
West Bengal Real Estate Regulatory Authority



(BHOLANATH DAS)

Member

West Bengal Real Estate Regulatory Authority



(TAPAS MUKHOPADHYAY)

Member

West Bengal Real Estate Regulatory Authority