

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)000033

Chandana Das

.....Complainant

Vs

Dharitri Infraventure Pvt. Ltd

.....Respondent

Sl. Number and date of order	Order and signature of Officer	Note of action taken on order
2 ----- 14.03.2023	<p>Shri Samtosh Banerjee is present on behalf of the Complainant (Chandana Das), being her authorized representative.</p> <p>Sayantani Das is present on behalf of the Respondent, filing hazira and authorization.</p> <p>Complainant submitted Notarized Affidavit as per the last order of the Authority dated 09.02.2023.</p> <p>Let the Affidavit of the Complainant, be taken on record.</p> <p>The Respondent also submitted Notarized Affidavit containing their Written Response as per the last order of the Authority.</p> <p>Let the Written Response of the Respondent be taken on record.</p> <p>Heard both the parties in detail.</p> <p>Advocate of the Respondent submitted at the time of hearing that the Respondent Company wants to offer an alternate flat or land to the Complainant in place of refund. But the Complainant at the time of hearing categorically denied the offer of alternative flat or land and he prayed for</p>	

immediate refund of the amount paid by him.

From the records it transpires that the total amount paid by the Complainant is Rs.6,00,000/- (Six lakhs) with GST.

After hearing both the parties and after taking into consideration the documents submitted by both of them, the Authority is of the opinion that the Respondent failed to comply his obligations to deliver the possession of the flat booked by the Complainant within the scheduled time period, as per Agreement for Sale and therefore, as per RERA Act and Rules he is under obligation to refund the Principal Amount paid by the Complainant minus GST amount along with interest, as per RERA Act and Rules.

Hence, it is hereby

**ORDERD**

that the Respondent shall make refund of Rs.6(six) lakhs minus GST amount to the Complainant along with interest at the rate of SBI Prime Lending Rate Plus 2 percent, within 45 days from the date of receipt of this order of the Authority by email. The refund shall be made by the bank transfer to the bank account of the Complainant.

Complainant shall provide her bank account details, to the Respondent, in which she wants to take the refund amount, within 7(seven) days from the date of receipt of this order by email.

If the Respondent fails to comply the order within the stipulated time period, the Complainant shall be at liberty to file an execution application before this Authority annexing therewith photocopy of this Order.

Copy of this order be served to both the parties by post and email.

With the above directions this 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