

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

Complaint No. WBRERA/COM000244

Tanmaya Das..... Complainant

Vs

Evanie Infrastructure Private Limited..... Respondent

Sl. Number and date of order	Order and signature of Authority	Note of action taken on order
01 22.02.2024	<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 to the Respondent 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 a 2BHK flat in the project named as 'Evanie Eco Nest' of the Respondent on 08.09.2017 and they promised the Complainant to handover the flat by 2020. The Agreement for Sale was executed on 21.12.2018. However, they went on extending the date which they failed to keep. Now it seems to be a fraud scheme to the Complainant. The Complainant had done the following payments:- on 08.09.2017 - Rs.4,00,000/-, on 13.04.2018 - Rs.2,00,000/-, on 07.09.2018 - Rs.11,11,000/-. Total Rs.17,11,000/-(inclusive GST) has been paid by him. All amounts were paid through 3 cheques. He even enquired from the GST department if they had deposited the GST amount Govt., which he found that they did not, it is clear that they are enjoying the public money without any fear of law and order. As a law abiding person, he is writing this with a strong belief on judicial system that he will get justice of his hard earned money. He is Ready to provide any further details if required by this Authority.</p> <p>In this Complaint Petition the Complainant prays before the Authority for the following relief(s):</p>	

The Complainant prays for the refund of the Principal Amount paid by him alongwith statutory interest.

After hearing both the parties, the Authority is pleased to admit this matter for further hearing and order as per the provisions contained in Section 31 of the Real Estate (Regulation and Development) Act, 2016 read with Rule 36 of the West Bengal Real Estate (Regulation and Development) Rules, 2021 and give the following directions:-

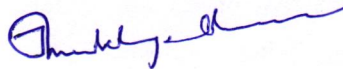
The Complainants are directed to submit their total submission regarding their Complaint Petition on a Notarized Affidavit annexing therewith notary attested /self-attested supporting documents and a signed copy of the Complaint Petition and send the Affidavit (in original) to the Authority serving a 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 Complainants, annexing therewith notary attested/self-attested supporting documents, if any, and send the Affidavit (in original) to the Authority serving a copy of the same to the Complainants, both in hard and soft copies, within **15 (fifteen)** days from the date of receipt of the Affidavit of the Complainants either by post or by email whichever is earlier.

Fix **15.04.2024** for further hearing and order.



(SANDIPAN MUKHERJEE)
Chairperson
West Bengal Real Estate Regulatory Authority



(TAPAS MUKHOPADHAY)
Member
West Bengal Real Estate Regulatory Authority