

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

Complaint No.WBRERA/COM-000007

Arindam Dey

.....Complainant

Vs

Usashi Realstates Pvt. Ltd.

..... Respondent

Sl. Number and date of order	Order and signature of Officer	Note of action taken on order
2 ----- 28.03.2023	<p style="text-align: center;">Complainant is present in the online hearing.</p> <p>Advocate Shourya Basu is present on behalf of the Respondent as its authorized Representative.</p> <p>Complainant submitted a Notarized Affidavit as per last order of the Authority dated 23.02.2023.</p> <p>Let the Affidavit of the Complainant be taken on record.</p> <p>The Respondent submitted Written Response on Notarized Affidavit as per the last order of the Authority dated 23.02.2023.</p> <p>Let the Written Response of the Respondent be taken on record.</p> <p>Heard both the parties in detail.</p> <p>The case of the Complainant is that, he booked a flat in the project named 'Prince Town' of the Respondent Company and paid total amount of Rs.4,34,805/- (Rupees four lakhs thirty four thousand eight hundred five) only to the Respondent Company. But the Respondent failed to deliver the possession of the flat within the stipulated time period as per the Agreement for Sale. Therefore, in the opinion of the Authority, the Respondent is bound to refund the principal amount along with interest to the Complainant as per the RERA Act and WBRERA Rules.</p>	

After hearing both the parties and on examination of the documents placed on Affidavit before the Authority, the Authority is of the considered view that Respondent has failed in his obligation to deliver the possession of the flat booked by the Complainant within the stipulated time period as per the Agreement for Sale. It is hereby,

ORDERED

that the Respondent shall refund the amount of Rs.4,34,805/-along with interest @**SBI Prime Lending Rate + 2% p.a.**, for the period starting from last payment made by the Complainant to the date of final refund by the Respondent and the refund shall be made by bank transfer to the bank account of Complainant within 45 days from the date of receipt of this order of the Authority by email.

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

If the Respondent fails to comply the order of the Authority within the stipulated time period then the Complainant is at liberty to file an execution application before the Authority.

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.

Sd/-

(SANDIPAN MUKHERJEE)

Chairperson

West Bengal Real Estate Regulatory Authority

Sd/-

(BHOLANATH DAS)

Member

West Bengal Real Estate Regulatory Authority

Sd/-

(TAPAS MUKHOPADHYAY)

Member

West Bengal Real Estate Regulatory Authority

Certified to be true copy.

Sd/-

28.03.2023

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Special Law Officer
West Bengal Real Estate Regulatory Authority