

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/COM000210

Sunanda Nag and Souvik Nag..... Complainants

Vs.

Morias Infrastructure Private Limited..... Respondent No.1

Utkarsh Mishra.....Respondent No.2

Sharad Jain..... Respondent No.3

| Sl. Number and date of order | Order and signature of Authority   | Note of action taken on order |
|------------------------------|--|-------------------------------|
| 04<br>09.07.2024             | <p>Complainant is present in the online hearing filing hazira through email.</p> <p>Advocate Smt. Poulami Roy is present in the online hearing on behalf of the Respondent Companies filing hazira and vakalatnama through email.</p> <p>Heard both the parties in detail.</p> <p>The Respondent has submitted two petitions by email to the Authority, one petition for drop down the instant case and other petition for waiving off the interest amount.</p> <p>Let the said two petitions submitted by the Respondent through email to the Authority be taken on record.</p> <p>The Complainant stated at the time of hearing that he has received the principal amount. He also stated that he has not received any interest amount from the Respondent Company till date as per the last order of the Authority dated 19.03.2024.</p> <p>The Advocate of the Respondent stated at the time of hearing that she has submitted a prayer for waiving off the interest amount in the present matter as the financial condition of the Respondent Company is not good.</p> <p>After hearing both the parties, the Authority is of the considered view that there is no sufficient reason/ground for waiving off the interest amount in the present matter as financial condition of Respondent Company cannot be a ground</p> |                               |

for waving off the interest amount as per the provisions of RERA Act and Rules made thereunder and the Complainant is also not agreeable to waive off the interest amount. The ground/reasons stated by the Advocate of the Respondent at the time of hearing for waving off the interest amount are not sufficient/reasonable and satisfactory to the Authority. Therefore waving off the interest amount cannot be granted in this matter.

After hearing both the parties and after going through to the documents, Affidavit placed on record, the Authority is pleased to direct the following:-

The Respondent shall make the payment of the interest amount, as per the direction of this Authority at point no. (a) in the last order dated 19.03.2024, in three **(03)** equal consecutive monthly installments and he shall start the payment from **August'2024** and complete the payment within **October'2024** and the payment shall be made by bank transfer to the bank account of the Complainant.

If the Respondent fails to comply the above direction within the stipulated time period, penalty may be imposed by this Authority as per section 38 read with section 61 of the RERA Act, if the Authority thinks fit to do so on the next date of hearing.

The Authority shall review of this matter on the next date of hearing.

Fix **05.12.2024** for further hearing and order.

  
(BHOLANATH DAS)

Member

West Bengal Real Estate Regulatory Authority

  
(TAPAS MUKHOPADHYAY)

Member

West Bengal Real Estate Regulatory Authority