

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

Complaint No. WBRERA/COM 000474

Siddhartha Kumar Talukdar..... Complainant

Vs

Greentech IT City Pvt. Ltd..... Respondent

Sl. Number and date of order	Order and signature of the Authority	Note of action taken on order
03 29.04.2025	Complainant is present in the hearing through online mode filing hazira through email. Respondent is absent in the hearing despite due service of hearing notice through email. Let the track record of due service of hearing notice to the Respondent be kept on record. The Respondent did not submit any Affidavit till today. Heard the Complainant in detail. On the last date Respondent had prayed for a short time to file Affidavit, his request was granted and time has been given to him to file Affidavit but inspite of getting time and opportunity to file Affidavit, Respondent failed / ignored to file Affidavit as per the last two orders of the Authority dated 26.06.2024 and 27.02.2025. The Authority is of the opinion that sufficient and reasonable opportunity has already been given to the Respondent to submit Written Response on Affidavit but the Respondent fails / ignored to file the same and therefore this Authority has no other option but to proceed with ex-parte hearing and disposal of this matter on the ground of speedy disposal of justice as per section 29(4) of the Real Estate (Regulation and Development) Act, 2016 and as per the preamble of the said Act where speedy dispute redressal is one of the main objective behind the establishment of this Authority. The Authority is of the considered view that the Respondent failed miserably to deliver possession of the flat, completed and in habitable condition, to the Complainant, within the scheduled timeline as per the Agreement for Sale, therefore, as per section 18 of the Real Estate (Regulation and Development) Act,	

2016 (hereinafter referred to as the 'said Act') read with Rule 17 and 18 of the West Bengal Real Estate (Regulation and Development) Rules, 2021, the Respondent Promoter is bound to refund the Principal Amount paid by the Complainant alongwith interest at the rate of SBI PLR+2% per annum for the period starting from the respective dates of payments made by the Complainant till the date of realization.

Hence it is hereby,

ORDERED

that the Respondent shall refund the Principal Amount of **Rs.2,59,992/-** (Rupees Two Lakhs Fifty Nine Thousand Nine Hundred Ninety Two Only) alongwith interest at the rate of SBI PLR+2% per annum, for the period, starting from the respective dates of payments made by the Complainant till the date of realization and all the payments 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 through email.

Complainant has made payment as per the following table:-

Sl. No.	Date	Basic Amount	S. Tax Amount	Total Amount
1.	05.10.2015	1,00,000/-	3,500/-	1,03,500/-
2.	01.11.2015	1,51,200/-	5,492/-	1,56,492/-

Complainant shall send his bank account details to the Respondent through email, within **3 days** from the date of receipt of this order of the Authority through email.

If the Respondent fails to make payment as per the direction given above within the stipulated timeline, then the Complainant is at liberty to submit an **Execution Application** as per the Execution Regulation which is available in the WBRERA website under the heading 'Act / Rules / Regulations'.

With the above directions the matter is hereby disposed of.

Let copy of this order be served to both the parties immediately.

(BHOLANATH DAS)
Member

West Bengal Real Estate Regulatory Authority