

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/COM000172

Mritunjoy Barua ..... Complainant

Vs.

Morias Infrastructure Private Limited..... Respondent

Sl. Number and date of order	Order and signature of Officer	Note of action taken on order
01 17.08.2023	<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 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>The Complainant stated at the time of hearing that he has by inadvertent mistake recorded his own address as the Respondent's address in the Complaint Petition. He prayed for leave to record the correct address of the Respondent.</p> <p>Considered and granted the prayer of the Complainant.</p> <p>The Complainant stated that he has booked a flat on 18.12.2017 in the project names as '<b>Harmony (Phase-1)</b>' of the Respondent Company. Total cost of the flat was Rs.21,29,024/-. He has paid till date total amount of Rs.2,49,228/- (Rupees two lakh forty-nine thousand two hundred twenty-eight only) in favour of the Respondent Company. The Respondent failed to deliver possession of the flat within the time-line as agreed between the parties. But till date the possession of the flat not handed over. The Complainant asked the Respondent to refund back the amount paid by him on several time. After that on 21.09.2022 the Respondent has refunded only the amount of Rs.40,000/-. He has not yet received the balance amount of Rs.2,09,228/-from the Respondent.</p> <p>The Complainant prays before the Authority for the relief of refund the</p>	

balance amount of Rs.2,09,228/-alongwith interest as per law.

After hearing the Complainant, the Authority is pleased to admit this matter for further hearing and order and give the following directions:-

The Complainant is directed to submit his total submission regarding his Complaint Petition on a Notarized Affidavit annexing therewith notary attested supporting documents and a signed copy of the Complaint Petition and send the original Affidavit 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 Complainant is further directed to mention the correct address, email ID and contact numbers of the Respondent in his Notarized Affidavit as mentioned above and as prayed by him.

The Complainant is also directed to make a prayer in his notarized affidavit to include the Director/s of the Respondent Company as other Respondents in the Complaint Petition and he shall mention in his affidavit the name, address, email Id and contract numbers of the Director/s of the Respondent Company.

The Respondent is hereby directed to submit his Written Response on notarized affidavit regarding the Complaint Petition and Affidavit of the Complainant, annexing therewith notary attested supporting documents, if any, and send the original to the Authority serving a copy of the same to the Complainant, both in hard and soft copies, within 15 (fifteen) days from the date of receipt of the Affidavit of the Complainant either by post or by email whichever is earlier.

Fix **26.09.2023** for further hearing and order.

(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