

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

Complaint No. WBRERA/COM000179

Prithwish Kumar Pal Complainant

Vs.

Simoco Systems & Infrastructure Solutions Limited..... Respondent


Sl. Number and date of order	Order and signature of the Authority	Note of action taken on order
05 30.05.2024	<p>Complainant is present in the online hearing filing hazira through email.</p> <p>Mr. Joydeep Dey, being Authorized Representative of the Respondent Company is present in the online hearing filing hazira and Authorization through email.</p> <p>Heard both the parties in detail.</p> <p>The Complainant stated that no further payment has been made by the Respondent after last order of the Authority dated 03.04.2024.</p> <p>The Authorized Representative of the Respondent stated that they will try to make payment of an installment within 31.05.2024.</p> <p>After hearing both the parties and after going through the Affidavit(s) and documents placed on record, by both the parties, this Authority is of the considered view that the Respondent has failed to deliver possession of the flat booked by the Complainant within the scheduled timeline, as agreed between the parties, and therefore, he is liable 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, as per the provisions contained in section 18 of the Real Estate (Regulation and Development) Act, 2016 read with Rule 17 and 18 of the West Bengal Real Estate (Regulation and Development) Rules, 2021.</p> <p>Hence, it is hereby</p> <p style="text-align: center;">ORDERED,</p> <p>a) That the Respondent shall make payment of the total balance principal amount of Rs.8,85,500/-(Rupees eight lakhs eighty-five thousand five hundred only) alongwith interest @ 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 the payment shall be made by bank transfer to the bank account of the Complainant, within 45</p>	

days from the date of receipt of this order of the Authority through email; and

- b) That the Complainant shall send his bank account details, to the Respondent through email, within **3 (three) days** from the date of receipt of this order of the Authority through email, in which he wants to take the refund amount; and
- c) That the Complainant is at liberty to file an **Execution Application** on a plain A4 paper (annexing a copy of this order), if the Respondent fails to comply the order given above within the stipulated period of 45 (forty-five) days.

With the above directions the matter is hereby disposed of.

Let copy of this order be served to both the parties through speed post and also by email immediately.


(BHOLANATH DAS)
Member
West Bengal Real Estate Regulatory Authority


(TAPAS MUKHOPADHYAY)
Member
West Bengal Real Estate Regulatory Authority