

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

Complaint No.COM000196 (erstwhile WBHIRA)

Vijay Kumar Gupta..... Complainant

Vs.

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

Sl. Number and date of order	Order and signature of Authority	Note of action taken on order
08 30.05.2024	<p>Complainant (email - <a href="mailto:ykggoyal@gmail.com">ykggoyal@gmail.com</a>, Mobile - 9339875929) alongwith his Advocate Mr. Amarnath Agarwal is present in the physical hearing filing Vakalatnama and signed the attendance sheet.</p> <p>Respondent is absent in the physical hearing despite due service of hearing notice to the Respondent through speed post and also by email.</p> <p>Let track record of due service of hearing notice to the Respondent be kept on record.</p> <p>Heard the Complainant in detail.</p> <p>Complainant stated at the time of hearing that no payment has been made by the Respondent after the last order of the Authority dated 03.04.2024 and no communication has been made by the Respondent regarding payment of the amounts as per the last two orders of the Authority and prayed for taking necessary action in this regard.</p> <p>Authority took serious exception to the fact that the Respondent is completely ignoring and neglecting the order(s) of the Authority and he has no positive intent to comply the order(s) of this Authority. Therefore, the Authority is of the considered view that penalty should be imposed upon the Respondent as per the provisions of section 38 read with section 61 of the Real Estate (Regulation and Development) Act, 2016.</p> <p>After hearing the Complainant and after going through the documents placed on record, the Authority is of the considered view that the Respondent has failed to deliver possession of the flat booked by the Complainant within</p>	

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.

Hence, it is hereby

ORDERED,

a) That the Respondent shall refund the Principal Amount of Rs.9,60,260/- (Rupees Nine Lakhs Sixty Thousand Two Hundred Sixty Only) 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, within **45 days** from the date of receipt of this order of the Authority through email; and

b) That the payment shall be made by the Respondent through bank transfer to the bank account of the Complainant and the Complainant shall provide his bank account details to the Respondent, in which he wants to take the refund amount alongwith interest, within **7 days** from the date of receipt of this order of the Authority through email; and

c) That a penalty of **Rs.2,00,000/- (Two Lakhs)** is hereby imposed upon the Respondent Company and the Respondent shall pay the said amount to the bank account of WBRERA Authority within **45 days** from the date of receipt of this order of the Authority through email.

The Bank Account details of this Authority is provided herein below:-

Account Name: WEST BENGAL REAL ESTATE REGULATORY  
AUTHORITY.

Account Number: 0000004077 7 384369.

BRANCH: Specialized Institutional Banking, Kolkata.

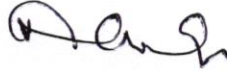
IFSC Code: SBINOO14524

MICR Code: 700002404

Complainant is at liberty to file an **Execution Application** on a plain A4 paper before the Authority if the Respondent fails to comply the above directions of the Authority within the stipulated time period.

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.



(SANDIPAN MUKHERJEE)

Chairperson

West Bengal Real Estate Regulatory Authority



(TAPAS MUKHOPADHYAY)

Member

West Bengal Real Estate Regulatory Authority