

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

Complaint No. COM000531 (erstwhile WBHIRA)

Prodip Kumar Biswas Complainant

Vs

Evanie Infrastructure Private Limited..... Respondent

Sl. Number and date of order	Order and signature of Authority	Note of action taken on order
01(Execution) 07.12.2023	<p>Today is the 1st day of Execution Hearing of this matter. The final order of this matter was passed on 04.09.2023.</p> <p>Complainant is present in the physical hearing today and signed the Attendance Sheet.</p> <p>Respondent is absent in the physical hearing today despite due service of hearing notice to the Respondent through speed post and also through email.</p> <p>Let the track record of the due service of the hearing notice to the Respondent be kept on record.</p> <p>Heard the Complainant in detail.</p> <p>The Complainant submitted today at the time of hearing that no amount has been refunded by the Respondent till today as per the final order dated 04.09.2023 and he prayed for immediate Execution of the said order, as per the provisions of Real Estate (Regulation & Development) Act, 2016 and Rules made thereunder.</p> <p>The Authority took serious exception to the fact that the Respondent completely ignored and neglected to comply the order of this Authority dated 04.09.2023 and did not refund any amount till date to the Complainant.</p> <p>Therefore, the Authority is of the considered opinion that Directors of the Respondent Company are required to be present in person before the Authority on the next date of hearing and submit on Affidavit that why a penalty of Rs.5 lakhs should not be imposed upon them for non-compliance of the order dated 04.09.2023, as per the provisions contained in section 38 read with section 61 of the Real Estate (Regulation and Development) Act, 2016.</p> <p>Hence it is hereby ordered,</p>	

a) that all the Directors of the Respondent Company, Mr. Supriya Patra and others, shall be present on the next date of physical hearing in person before the Authority and submit an Notarized Affidavit, before the next date of hearing, showing causes / reasons for non-imposition of penalty of Rs.5,00,000/- by the Authority upon the Respondent, for complete non-compliance of the order of the Authority dated 04.09.2023; and

b) Respondent shall also provide a **Refund Schedule** specifically mentioning the date and amount of instalments by which they will pay the amounts, as directed in the order of this Authority dated 04.09.2023, in the same Affidavit as directed at (a) above and shall start payment accordingly.

Let copy of this order be served to the Complainant and all the addresses and email ids of the Respondent Company immediately.

Fix this Execution Case on **14.05.2024** for further hearing and order.



(SANDIPAN MUKHERJEE)

Chairperson

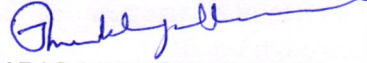
West Bengal Real Estate Regulatory Authority



(BHOLANATH DAS)

Member

West Bengal Real Estate Regulatory Authority



(TAPAS MUKHOPADHYAY)

Member

West Bengal Real Estate Regulatory Authority