

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

Complaint No. WBRERA/COM000089

Vinay Kumar AgarwalComplainant
 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
<p>5 ----- 16.05.2024</p>	<p>Complainant is present in the online hearing filing hazira through email. Advocate Subhra Kanti Roy Chowdhury (Mobile - 9831581182 & Email -2018skandassociates@gmail.com) is present on behalf of the Respondent in the online hearing filing hazira and vakalatnama through email.</p> <p>Heard both the parties in detail.</p> <p>The Complainant stated at the time of hearing that he wants the refund of the principal amount paid by him alongwith statutory interest and he is not interested in taking possession of the flat or any alternative flat.</p> <p>The Advocate of the Respondent stated at the time of hearing that he has to take instruction from his client regarding the details by which the Refund shall be made by the Respondent.</p> <p>After hearing both the parties and after thorough examination of the Affidavit submitted by the Complainant, the Authority is of the considered view that the Respondent has failed in his obligation to deliver the possession of the flat to the Complainant within the schedule timeline as agreed between the parties and therefore he is liable to refund the Principal amount paid by the Complainant alongwith interest @SBI PLR +2% per annum calculated on the total Principal Amount, for the period starting from the respective dates of payments made by the Complainant till the date of realization, as per the provision contained in Section 18 of the Real Estate (Regulation and Development) Act, 2016 read with Rule 17 of the West Bengal Real Estate (Regulation & Development) Rules, 2021.</p>	

Hence, it is hereby

ORDERED

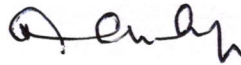
a) That the Respondent shall make Refund of the Principal amount of Rs. **15,36,364/-** (Rupees fifteen lakhs thirty six thousand three hundred sixty four only) alongwith interest @ **SBI PLR+2%** per annum, for the period starting from the respective dates of payments made by the Complainant till the date of realization, within 45 (forty-five) days from the date of receipt of this order of the Authority through email and payment shall be made by bank transfer to the bank account of the Complainant; and

b) The Complainant shall send his bank account details to the Respondent in which he wants to take the payment, within **7 (seven)** days from the date of receipt of this order of the Authority by email; and

c) If the Respondent fails to comply the order of the Authority at (a) above within the stipulated timeline, the Complainant is at liberty to file an Execution Application on a plain A4 paper annexing therewith a copy of this order, serving a copy of the same to the Respondent.

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



(BHOLANATH DAS)

Member

West Bengal Real Estate Regulatory Authority