

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

Complaint No.WBRERA/COM000013

Arun Kumar Prasad.....Complainant

Vs

Riverbank Developers Private Limited..... Respondent

Sl. Number and date of order	Order and signature of Officer	Note of action taken on order
<p>1 (Execution) ----- 28.02.2024</p>	<p>Today the matter is taken up for execution hearing of the final order dated 12.06.2023 passed in this matter.</p> <p>Complainant is present in the online hearing filing hazira through email.</p> <p>Advocate Prithwish Roy Chowdhury (Mobile no. - 8240168628, email – roychowdhuryprithwish@gmail.com) is present on behalf of the Respondent filing hazira and vakalatnama through email.</p> <p>Complainant has submitted an Execution Application dated 15.12.2023 praying for execution of the final order dated 12.06.2023, which has been received by this Authority on 02.01.2024.</p> <p>Let the said Execution Application of the Complainant be taken on record.</p> <p>Heard both the parties in detail.</p> <p>Complainant stated that he has received the refund of the excess amount of Rs.55,372/- paid by him, from the Respondent, as per the final order of this Authority, as a part compliance of the said order.</p> <p>Advocate of the Respondent stated that they have filed an appeal before the Hon'ble High Court with case no. SAT 237 of 2023 challenging the delay interest to be paid as per the final order. No hearing of this appeal has been taken place till date. He prayed for an adjournment of this execution hearing so that the appeal matter may be heard by the Hon'ble High Court in the</p>	

meanwhile.

The Authority is of the considered view that as no hearing has been taken place before the Hon'ble High Court at Calcutta regarding the appeal matter and no stay order has been passed till date therefore there is no legal impediment to proceed with hearing of this execution matter today.

After hearing both the parties, the Authority is pleased to give the following directions :-

- a) The Complainant shall send a scan copy of the execution application alongwith annexure to the email Id of the advocate of the Respondent, as mentioned above, immediately after the hearing; and
- b) Respondent shall submit an Affidavit regarding the present status of the multi-level car parking space allotted to the Complainant stating the expected time of delivery of the possession of the multi-level car parking space to the Complainant; and
- c) Respondent shall also make payment of interest for the delay period in giving possession to the Complainant, as per the final order of this Authority dated 12.06.2023, within 3 weeks from the date of receipt of this order of the Authority through email.

The Authority shall review the matter on the next date of hearing.

Fix **07.05.2024** for further hearing and order.



(SANDIPAN MUKHERJEE)

Chairperson

West Bengal Real Estate Regulatory Authority



(TAPAS MUKHOPADHYAY)

Member

West Bengal Real Estate Regulatory Authority