

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

Complaint No.COM000509 (erstwhile WBHIRA)

Santipriya Brahma..... Complainant

Vs

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

Sl. Number and date of order	Order and signature of Authority	Note of action taken on order
04(Execution) 19.02.2024	<p>Complainant is present in the physical hearing and signed the Attendance Sheet.</p> <p>Mr. Joydeep Dey, being Authorized Representative of the Respondent Company is present in the online hearing on behalf of the Respondent filing hazira through email.</p> <p>The Complainant has submitted a Notarized Affidavit dated 22.01.2024, giving the present status of this matter, as per the last direction of this Authority dated 15.01.2024, which has been received by this Authority on 25.01.2024.</p> <p>Let the said Notarized Affidavit of the Complainant be taken on record.</p> <p>Heard both the parties in detail.</p> <p>The Complainant stated that he has received the full principal amount paid by him amounting to Rs.14,57,796/-.</p> <p>He has now prayed for interest against the Principal Amount and compensation for this long harassment amounting to Rs.13,62,119/- as calculated by him.</p> <p>After hearing both the parties, the Authority is of the considered view that as the Complainant has claimed only for the Principal</p>	

Amount in his Complaint Petition and final order in this regard has been passed on 20.04.2021 by this Authority for refund of the Principal Amount. In execution hearing, the **executing court cannot go beyond the decree** and therefore no order can be issued at present in this execution hearing regarding payment of the interest amount and the matter for **Compensation** can be heard and disposed of only by Adjudicating Officer as per the provisions of Section 71 of the RERA Act, 2016.

Hence this Authority hereby rejects the prayer of the Complainant made in his Affidavit dated 22.01.2024 regarding necessary direction for payment of interest.

However, the Complainant is at liberty to file an Application as per Form -N of the WBRERA Rules, 2021 seeking **Compensation** before the Adjudicating Officer.

With the above directions the matter is hereby disposed of.


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



(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