

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

Complaint No. WBRERA/COM000227

Jayashri Manna Saha..... Complainant

Vs.

Evania Infrastructure Private Limited..... Respondent

Sl. Number and date of order	Order and signature of Authority	Note of action taken on order
01 19.02.2024	<p>Complainant is present in the online hearing filing hazira through email.</p> <p>Respondent is absent in the online hearing despite due service of hearing notice to the Respondent through speed post and also by email.</p> <p>Let the 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 requested for inclusion of the name of his husband in the present Complaint Petition as he is the Joint Allottee in the present transaction.</p> <p>As per the Complainants, they have booked a 3BHK flat at 3<sup>rd</sup> floor with 906.25 sq.ft. approximately in the project named as '<b>EVANIE ECONEST</b>' of the Respondent vide Application No. EEN000980. They have paid total amount of Rs. 6,41,970/- till date in this regard. But it seems to the Complainants that no progress in construction has been made in the project and also erstwhile HIRA has not given Registration to the said project. Therefore the Complainants have applied for cancellation and refund of the Principal Amount paid by them on 11.10.2019 and it was acknowledge by letter Ref. No. OC/19/01145 dated 01.11.2019.</p> <p>In view of the above mentioned circumstances, the Complainants pray before the Authority for refund of the total Principal Amount paid by them alongwith statutory interest.</p> <p>After hearing both the parties, the Authority is pleased to admit this matter for further hearing and order as per the provisions contained in Section 31</p>	

of the Real Estate (Regulation and Development) Act, 2016 read with Rule 36 of the West Bengal Real Estate (Regulation and Development) Rules, 2021 and give the following directions:-

The Complainants are directed to submit their total submission regarding their Complaint Petition on a Notarized Affidavit annexing therewith notary attested /self-attested supporting documents and a signed copy of the Complaint Petition and send the Affidavit (in original) to the Authority serving a copy of the same to the Respondent, both in hard and soft copies, within **15 (fifteen)** days from the date of receipt of this order through email.

The Complainants are further directed to make a prayer in their Affidavit to include the name of the husband of Smt. Jayashri Manna Saha as a Joint Complainant in their said Affidavit because at the time of hearing it transpired that he is also a Joint Allottee in the said transaction.

The Respondent is hereby directed to submit his Written Response on notarized affidavit regarding the Complaint Petition and Affidavit of the Complainants, annexing therewith notary attested/self-attested supporting documents, if any, and send the Affidavit (in original) to the Authority serving a copy of the same to the Complainants, both in hard and soft copies, within **15 (fifteen)** days from the date of receipt of the Affidavit of the Complainants either by post or by email whichever is earlier.

Fix **05.04.2024** 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