

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

Complaint No.WBRERA/COM 001551

Sudakshina Bhattacharya..... Complainant

Vs.

Evania Infrastructure Private Limited..... Respondent

Sl. Number and date of order	Order and signature of the Authority	Note of action taken on order
01 11.03.2026	<p>Complainant, Sudakshina Bhattacharya (Mobile no. 6291922940 and email id- sudakshinadasgupta@gmail.com) along with Indrajit Bhattacharya (Mobile no. 79802355651 and email id- kgec.mca.ib@gmail.com) were present in the hearing physically, and signed attendance sheet.</p> <p>Respondent, Evania Infrastructure Private Limited was represented by Learned Advocate, Gourav Banerji through online mode. He is directed to file his hazira and vakalatnama immediately.</p> <p>The Complainant stated that they had booked a 2 BHK flat in Evania Econest project at Rajarhat, Kolkata vide application number EEN004713 on 6th September 2018. And a sum of money Rs.5,55,379/- was deposited as an advance money for the said flat. The possession of the said flat was expected to be given forty months from the date of sales agreement. The developer failed to deliver the said flat within the stipulated time. And the project shows no sign of progress till date. Hence, they have no other option than apply for the refund of their booking money on 24.08.2022. They had also filled up the declaration mandate for refund visiting their office on 12.01.2023 for the said refund request. But we did not get any positive response from the developer end, neither we had received any refund schedule till date. After that they had send one reminder letter for refund to the office address via speed post on 22.04.2025 but did not receive any reply from their end. In this situation we want the refund of our booking money at the earliest.</p> <p>The relief sought by the Complainant is for Refund of their booking money of Rs. 5,55,379/= (Rupees five lakhs fifty five thousand three hundred seventy nine only) in the Evania Eco Nest Project.</p> <p>After hearing the Complainant, the Authority is pleased to admit this matter for further hearing and order as per the provisions contained in Section 31 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</p>	

give the following directions: -

A. The Complainant shall submit his total submission regarding the 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 **3(three)weeks** from the date of receipt of this order of the Authority by email.

B. The Respondent shall submit their Written Response on notarized affidavit regarding the Complaint Petition and Affidavit of the Complainant, annexing therewith notary attested/self-attested supporting documents, if any, and send the same (in original) to the Authority serving a copy to the Complainant, both in hard and soft copies, within **3(three)weeks** from the date of receipt of the Affidavit of the Complainant either by post or by email whichever is earlier.

Fix after **6(six)weeks** for further hearing and order.



(JAYANTA K.R. BASU)
Chairperson

West Bengal Real Estate Regulatory Authority



(BHOLANATH DAS)
Member

West Bengal Real Estate Regulatory Authority