

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

Complaint No.WBRERA/COM-000033

Gautam Datta

..... Complainant

Vs

Evanie Infrastructure Private Limited

..... Respondent

Sl. Number and date of order	Order and signature of Officer	Note of action taken on order
1 ----- 06.03.2023	<p>Complainant is present in the online hearing filing hazira through email.</p> <p>Advocate Shourya Basu representing the Respondent is present in the online hearing filing hazira and Authorization through email.</p> <p>The Respondent has also sent a Written Response on affidavit through email but as the affidavit is not notary attested, therefore it has not been taken on record.</p> <p>Heard both the parties in detail.</p> <p>As per the Complainant, he booked a 3BHK flat of an area of 1079 Sq.ft. approximately in the project 'Evanie Econest' of the Respondent vide Application No. EEN03607 situated at Rajarhat, Kolkata – 700 135 by paying Rs.4,86,437/-(Rupees four lakhs eighty six thousand four hundred thirty seven only) on 29.10.2017. After waiting for a period of more than 5 (five) years with complete frustration the Complainant observed that no construction has started in the project site. On 23.11.2019, the Complainant issued a notice to the Respondent for refund of the booking amount along with interest but no reply has been received till date from the Respondent</p>	

Company.

The Complainant requested the Authority at the time of hearing to issue necessary order for refund of the booking amount of Rs.4,86,437/- (Rupees four lakhs eighty six thousand four hundred thirty-seven only) along with 12% compound interest from the date of payment to the date of refund. He also prayed for a relief of Rs.2,00,000/- (Rupees two lakhs) only as compensation for mental agony and harassment.

After hearing the Complainant, the Authority is satisfied to admit this matter for further hearing and order.

The Complainant is directed to submit his total submission regarding his Complaint Petition on a Notarized Affidavit annexing therewith notary attested supporting documents, if any, and send the original affidavit 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 Respondent is directed to submit his Written Response regarding the Complaint Petition on a Notarized Affidavit annexing therewith notary attested supporting documents, if any, and send the original affidavit to the Authority serving a copy of the same to the Complainant, both in hard and soft copies, within 15 (fifteen) days from the receipt of the Affidavit of the Complainant.

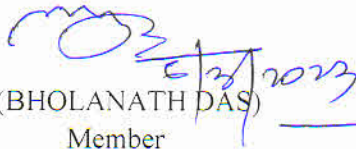
Fix **11.04.2023** for further online hearing and order.



(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