

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

Complaint No.WBRERA/COM000683

Sayantani Ghosh..... Complainant

Vs

Soumita Construction Private Limited..... Respondent

Sl. Number and date of order	Order and signature of the Authority	Note of action taken on order
03 16.01.2025	<p>Advocate Vinit Sharma is present in the online hearing on behalf of the Complainant filing hazira and vakalatnama through email.</p> <p>Legal Executive of the Respondent Promoter Company Ms. Masooma Khan is present in the online hearing on behalf of Respondent Company filing hazira and authorization through email.</p> <p>Heard both the parties in detail.</p> <p>Respondent till date did not submit Affidavit alongwith refund schedule and also not made any refund to the Complainant.</p> <p>Respondent stated at the time of hearing that some negotiation is going on between the parties but Complainant stated that no such negotiation is going on between the parties and she wants refund at the earliest.</p> <p>The Authority is of the considered view that reasonable opportunity and sufficient time has been given to the Respondent to submit their Written Response but the Respondent failed / neglected to take the opportunity, therefore, this Authority is of the view that no more time / opportunity shall be given to the Respondent to submit their Response on the ground of speedy disposal of justice as per section 29(4) of the RERA Act, 2016.</p> <p>As the Respondent failed to deliver the flat within the schedule timeline therefore as per section 18 of the RERA Act he is under the obligation to refund the Principal Amount alongwith interest in the prescribed rate to the Complainant.</p>	

Hence, it is hereby,

ORDERED

That the Respondent shall make payment of the Principal Amount of **Rs.12,30,276/-** alongwith interest at the rate of SBI PLR +2% per annum from the respective dates of payments made by the Complainant till the date of realization, within a period of **45 days** from the date of receipt of this order of the Authority through email and the payment shall be made by bank transfer to the bank account of the Complainant.

Complainant shall send her bank account details to the Respondent through email within **3 days** from the date of receipt of this order of the Authority through email.

If the Respondent fails to comply the abovementioned order within the stipulated time period, the Complainant is at liberty to submit an Application on a plain A4 paper praying for execution of this order of the Authority, serving a copy of the same to the Respondent.

With the above directions the matter is hereby disposed of.

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


(BHOLANATH DAS)

Member

West Bengal Real Estate Regulatory Authority


(TAPAS MUKHOPADHYAY)

Member

West Bengal Real Estate Regulatory Authority