

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

Complaint No.WBRERA/COM(PHYSICAL)000019

Malati Mukherjee

..... Complainant

Vs

Usashi Real Estate Pvt. Ltd.

..... Respondent

Sl. Number and date of order	Order and signature of Officer	Note of action taken on order
1 ----- 01.02.2023	<p>Complainant is present before the Authority for the offline hearing and signed the Attendance Sheet.</p> <p>Respondent is absent in spite of due service of notice to him.</p> <p>Heard the Complainant in detail.</p> <p>The case of the Complainant is that, she had booked a flat bearing No. E-2/1 at the first floor of the project named "Prima Town Platinum" of the Respondent, situated at Hatishala within the limit of Beonta Gram Panchayat in the District of South 24-Parganas.</p> <p>She had deposited Rs. 2,58,000/- (Rupees two lakhs fifty eight thousand only) to the Respondent company for this purpose. The Agreement for Sale in this respect was executed on 16th July, 2017.</p> <p>The construction of the project was not completed within the stipulated period as agreed between the parties. As the construction of the project site had been stopped for a long time and as per the Complainant there appear to be no scope of completion of the said project in near future, the Complainant has requested the Respondent to refund the amount deposited with him by her letter dated 1st October, 2019 but the Respondent till today failed to refund the amount.</p>	

The Complainant prayed before the Authority for refund of the amount of Rs. 2,58,000/- along with interest as per the RERA Act and Rules.

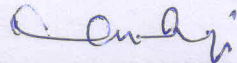
After hearing both the parties, the Authority satisfied to admit this matter for further hearing and directed the following :-

The Complainant is directed to submit her total submission regarding the complain petition on a Notarized Affidavit annexing therewith self-attested photo copies of relevant documents and send the original Affidavit to the Authority within 10 days from the date of receipt of this Order by email after serving a copy of this Affidavit to the Respondent. He is also directed to send a scanned copy of the said Affidavit with annexures by email to the Authority as well as to the Respondent.

The Respondent is directed to send his written response to the complaint petition on a Notarized Affidavit within 10 days from the date of receipt of the above mentioned Affidavit of the Complainant and send it to the Authority and to the Complainant in both hard copy and soft copy.

The Respondent is further directed to appear positively on the next date of hearing, failing which, the Authority shall proceed with hearing of this matter ex-parte for the ends of justice.

Fix for next date of hearing on 24.02.2023 at 12:00 p.m. for further order.



(SANDIPAN MUKHERJEE)
Chairperson

West Bengal Real Estate Regulatory Authority



(BHOLANATH DAS) 01/02/2023

Member

West Bengal Real Estate Regulatory Authority



(TAPAS MUKHOPADHYAY) 01/02/2023

Member

West Bengal Real Estate Regulatory Authority