

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

Complaint No.WBRERA/COM(PHYSICAL)000029

Debdeep Mukherjee and Others

..... Complainant

Vs

M/s. Evanie Infrastructure Pvt. Ltd.

..... Respondent

Sl. Number and date of order	Order and signature of Officer	Note of action taken on order
1 ----- 06.02.2023	<p>Advocate Supratik Sinha Ray is present in the online hearing on behalf of the Complainant filing hazira and authorization through email.</p> <p>Respondent is absent despite due service of notice.</p> <p>Heard Complainant in detail.</p> <p>The case of the Complainant is that he booked a flat in the project named 'Evanie Econest' of the Respondent on 28.10.2017 vide Application No. EEN003598 and he paid Rs. 4,78,147/- (Rupees four lakhs seventy-eight thousand one hundred forty seven only) till date to the Respondent in this respect. Agreement for Sale was signed between the parties on 14th November, 2018 and as per clauses 6.1 of the Agreement for Sale the date of the delivery of possession was 40 months from the date of execution of the Agreement for Sale.</p> <p>The Respondent failed to deliver the possession within the date mentioned herein above. The Complainant now prays before this Authority for the refund of the total principal amount paid by him which is Rs. 4,78.147/- (Rupees four lakhs seventy-eight thousand one hundred forty seven only) along</p>	

with interest as per RERA Act & Rules and litigation cost.

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

The Complainant is directed to submit his total submission regarding this complaint petition on a Notarized Affidavit and annexing therewith self-attested photo copies of the supporting documents and send the original to the Authority and a copy to the Respondent, both in hard and soft copies, within 10 (Ten) days from the date of receipt of this order by email.

The Respondent is directed to submit his Written Response to the Complaint Petition on a Notarized Affidavit annexing therewith supporting documents and send the original to the Authority and a copy to the Complainant, both in hard and soft copies, within 10 (Ten) days from the date of receipt of the Affidavit of the Complainant.

The Respondent is further directed that to positively appear on the next date of hearing before the Authority or submit his Written Response within the next date of hearing, failing which, the Authority may proceed for ex-parte hearing of this matter.

Fix next date for further hearing and order on **28.02.2023**.



(SANDIPAN MUKHERJEE)

Chairperson

West Bengal Real Estate Regulatory Authority



(TAPAS MUKHOPADHYAY)

Member

West Bengal Real Estate Regulatory Authority