

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

Complaint No. WBRERA/COM000781

Ramjit Sikder and Mitali Sikder. Complainants

Vs

Simoco Systems & Infrastructure Solutions LimitedRespondent

Sl. Number and date of order	Order and signature of the Authority	Note of action taken on order
01 22.07.2024	<p>Complainant (Mob. No. 9109219828 & email Id: romisikder303@gmail.com) is present in the physical hearing today and signed the Attendance Sheet.</p> <p>Legal Representative Ms. Laxmi Biswas (Mob. No. & email Id:), of the Respondent Company is present in the physical hearing on behalf of the Respondent filing authorization and signed the Attendance Sheet.</p> <p>Heard both the parties in detail.</p> <p>As per the Complainants they have purchased a 2BHK flat on March' 2019 from Respondent, and the Respondent Company promised them to handover of the possession of the flat on 31st December, 2021 but the Respondent Company again raised the date and said the flat will handover on March' 2022. But again when they ask them where our flat is in mail and therefore the Respondent Company informed us the through mail they will take some time and handover the flat on March'2023 and now it is 2024. The Complainants stated that they have paid money (cash in hand) near about Rs.2,34,674/-to the Respondent Company but they did not fulfill their promise. After that, they have got bank loan from Indian Overseas Bank, Baguiati Branch, Kolkata the Bank has released the amount of Rs.6,85,000/-to the Respondent Company regarding the said flat and they are paying the EMI to the bank of Rs.20,000/-p.m.</p> <p>The Complainants prays for the relief before the Authority for refund of the Principal Amount alongwith interest as per the provisions of the RERA Act, from the Respondent.</p> <p>The Authorized Representative of the Respondent stated at the time of hearing that they will refund the Principal Amount alongwith interest as per RERA Act in 7 (seven) consecutive monthly installments starting from August, 2024.</p> <p>After hearing both the parties, 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 give the</p>	

following directions:-

The Complainants are directed to submit their total submission regarding their Complaint Petition on a Notarized Affidavit annexing therewith notary attested /self-attested copy of 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 scan copies, within **15 (fifteen)** days from the date of receipt of this order of the Authority by email.

The Complainants are further directed to send a scan copy of their affidavit along with annexure to the email Id of the Legal Executive of the Respondent, as mentioned above.


The Complainants are further directed to provide in a Tabular Form chronologically all the payments made by the Respondent specifying date, amount and money receipt number, if any, in the said table in their affidavit.

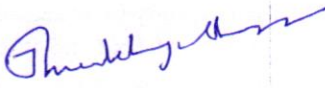
The Respondent is hereby directed to submit his Written Response on notarized affidavit regarding the Complaint Petition and Affidavit of the Complainant, annexing therewith notary attested/self-attested copy of supporting documents, if any, and send the Affidavit (in original) to the Authority serving a copy of the same to the Complainant, both in hard and scan copies, within **15 (fifteen)** days from the date of receipt of the Affidavit of the Complainant either by post or by email whichever is earlier.

The Respondent is further directed to submit a **Refund Schedule** in their Affidavit, specifically mentioning the number, amount and date of each installments, by which they will Refund Principal Amount paid by the Complainant alongwith interest at the rate of SBI PLR+2% per annum and the Respondent is further directed to complete payment accordingly.

The Authority shall review the matter on the next date of hearing.

Fix **24.04.2025** for further hearing and order.


(BHOLANATH DAS)
Member
West Bengal Real Estate Regulatory Authority


(TAPAS MUKHOPADHYAY)
Member
West Bengal Real Estate Regulatory Authority