

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

Complaint No.WBRERA/COM-000063

Monaisa Niyogi ..... Complainant

Vs.

Evanie Infrastructure Private Limited..... Respondent

Sl. Number and date of order	Order and signature of Officer	Note of action taken on order
01 <u>26.04.2023</u>	<p>Complainant is present in the online hearing filing hazira through email.</p> <p>Respondent is absent in the online hearing despite due service of notice.</p> <p>The Respondent has sent a prayer through mail stating that, due to certain renovations and repairing works being done in the office of the Respondent, certain documents, pertaining to the matter are temporarily not found and in this reason the Respondent is unable to be present today for hearing before the Authority.</p> <p>The Respondent prayed for short adjournment in this matter.</p> <p>Let the prayer of the petition through mail of the Respondent received by Authority be taken on record.</p> <p>The prayer of the Respondent is hereby by considered and granted one month time to be given to the Respondent.</p> <p>Heard the Complainant in detail.</p> <p>As per the Complainant, she has booked a flat in the Prince Town Project of M/s. Usashi Real Estate Pvt. Ltd., and Agreement for Sale was executed in the year 2018. The project did not progress as committed due to issues on the promoter site, hence, the promoter M/s. Usashi Real Estate Pvt. Ltd., transferred her booking to the another project named 'Evanie Econest' developed by M/s. Evanie Infrastructure Pvt. Ltd. (present Respondent) which is sister concern of M/s. Usashi Real Estate Pvt. Ltd.</p> <p>Agreement for Sale was executed between the Complainant and the present Respondent i.e. Evanie Infrastructure Pvt. Ltd., on 20.12.2021 and in total Rs.5,65,000/- (Rupees five lakhs sixty-five</p>	

thousand) only has been paid by the Complainant to the Respondent in this regard. The possession of the said flat booked by the Complainant was schedule to be given in the year December, 2023, but no substantial construction has been taken place in the project site of 'Evanie Econest'. It seems in probable to the Complainant that the project will not be completed by December, 2023.

In the present circumstances, the Complainant prayed before the Authority for refund of the entire amount paid by her.

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 a signed copy of the Complaint Petition 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 Complainant is further directed to send the scanned copy of her total Affidavit to the email ID of the Advocate of the Respondent which are given below:-

1. [shourya.cnl@gmail.com](mailto:shourya.cnl@gmail.com)
2. [shourya22172@nujs.edu](mailto:shourya22172@nujs.edu)

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 to the Authority serving a copy of the same to the Complainant, both in hard and soft copies, within 15 (fifteen) days from the date of receipt of the Affidavit of the Complainant.

Fix 05.06.2023 for further 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