

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

Complaint No.WBRERA/COM-000003

Bani Dasgupta

..... Complainant

Vs

Dharitri Infraventure Pvt. Ltd.

..... Respondent

Sl. Number and date of order	Order and signature of Officer	Note of action taken on order
1 ----- 23.02.2023	<p>Advocate Vinit Sharma on behalf of the Complainant is present in the online hearing filing Hazira and Vakalatnama through email.</p> <p>Advocate Sayantani Das representing the Respondent is also present in the online hearing.</p> <p>Heard both the parties in detail.</p> <p>As per the Complainant, he booked a flat and entered into an Agreement for Sale for purchase of the flat having total area of 450 Sq.ft. on the 3rd floor at the project 'Royal Enclave' of the Respondent Company and he paid total amount of Rs.3,30,000/- (Rupees three lakh thirty thousand only) to the Respondent in this regard. Subsequently, Respondent informed the Complainant that they will not be able to complete the project 'Royal Enclave' and shifted the booking to another project named 'Universia' situated at Rajarhat, South 24-Parganas. This project of the Respondent also miserably delayed and the Respondent failed to give possession as per the stipulated time. The Complainant claimed his money back from the Respondent on 03.07.2018 but no refund has been received from the Respondent till date.</p>	

The Complainant now prays before the Authority for refund of Rs.3,30,000/- (Rupees three lakhs thirty thousand only) along with **interest @ SBI Prime Lending Rate + 2% p.a.**, till the realization of full refund from the date of each payment and compensation of Rs.1,50,000/- (Rupees one lakh fifty thousand only) and litigation cost of Rs.20,000/- (Rupees twenty thousand only).

The Respondent prayed for some time to file their Written Response.

After hearing both the parties, the Authority is satisfied to admit this matter for further hearing and order and pleased to give the following directions:-

The Complainant is to submit a Written submission in respect to the Complaint Petition on a Notarized Affidavit and send the original affidavit to the Authority serving 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.

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

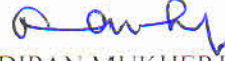
Respondent is further directed to clearly state on his Notarized Affidavit the present status of the two projects i.e. 'Royal Enclave' and 'Universia' along with the HIRA Registration No. details, if any.

Complainant is further directed to submit his Reply or Rejoinder, if any, on a Notarized Affidavit and send the original affidavit to the Authority serving a copy of the same to the Respondent, both in hard and soft copies; within 10 (Ten) days from the date of receipt of the Affidavit of the Complainant.

Both the parties are at liberty to come to a settlement by mutual discussion. If they arrive at a settlement, before the next date of hearing,

they are directed to submit a Joint Affidavit signed by both parties clearly mentioning terms of the settlement and send it to the Authority.

Fix **28.03.2023** for further hearing and order



(SANDIPAN MUKHERJEE)

Chairperson

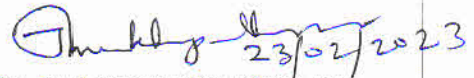
West Bengal Real Estate Regulatory Authority



(BHOLANATH DAS)

Member

West Bengal Real Estate Regulatory Authority



(TAPAS MUKHOPADHYAY)

Member

West Bengal Real Estate Regulatory Authority