

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/COM000628

Sriparna Bandyopadhyay & Subhankar Chatterjee ..... Complainants

Vs

Siddha Waterfront LLP..... Respondent

Sl. Number and date of order	Order and signature of Authority	Note of action taken on order																																	
01 12.03.2024	<p>Complainants are present in the physical hearing and signed the Attendance Sheet.</p> <p>Chartered Accountant Gopal Krishna Lodha 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 booked a 3BHK flat / unit in the Project named '<b>Siddha Waterfront</b>' of the Respondent Promoter. The details of the same are given herein below:-</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tbody> <tr> <td style="text-align: center;">1</td> <td style="text-align: center;">Project Name</td> <td style="text-align: center;">Siddha Waterfront</td> </tr> <tr> <td style="text-align: center;">2</td> <td style="text-align: center;">Promoter's Name</td> <td style="text-align: center;">Siddha Waterfront LLP</td> </tr> <tr> <td style="text-align: center;">3</td> <td style="text-align: center;">Flat No</td> <td style="text-align: center;">JAS-708</td> </tr> <tr> <td style="text-align: center;">4</td> <td style="text-align: center;">Name of the Complainants</td> <td style="text-align: center;">Sriparna Bandyopadhyay &amp; Subhankar Chatterjee</td> </tr> <tr> <td style="text-align: center;">5</td> <td style="text-align: center;">Tower No. &amp; Name</td> <td style="text-align: center;">1-D, JASMINE</td> </tr> <tr> <td style="text-align: center;">6</td> <td style="text-align: center;">Block No. &amp; Name</td> <td style="text-align: center;">Do</td> </tr> <tr> <td style="text-align: center;">7</td> <td style="text-align: center;">Floor No</td> <td style="text-align: center;">7<sup>th</sup> Floor</td> </tr> <tr> <td style="text-align: center;">8</td> <td style="text-align: center;">Total Cost (Flat+ Parking)</td> <td style="text-align: center;">31,49,000.00 + ST/GST = 32,86,436 + applicable Registration fee &amp; Stamp duty</td> </tr> <tr> <td style="text-align: center;">9</td> <td style="text-align: center;">Total paid till Date</td> <td style="text-align: center;">32,86,436+ applicable Registration fee &amp; Stamp duty</td> </tr> <tr> <td style="text-align: center;">10</td> <td style="text-align: center;">Date of Final Payment</td> <td style="text-align: center;">22.04.2019</td> </tr> <tr> <td style="text-align: center;">11</td> <td style="text-align: center;">Date of Fit-out</td> <td style="text-align: center;">06.05.2019</td> </tr> </tbody> </table>	1	Project Name	Siddha Waterfront	2	Promoter's Name	Siddha Waterfront LLP	3	Flat No	JAS-708	4	Name of the Complainants	Sriparna Bandyopadhyay & Subhankar Chatterjee	5	Tower No. & Name	1-D, JASMINE	6	Block No. & Name	Do	7	Floor No	7 <sup>th</sup> Floor	8	Total Cost (Flat+ Parking)	31,49,000.00 + ST/GST = 32,86,436 + applicable Registration fee & Stamp duty	9	Total paid till Date	32,86,436+ applicable Registration fee & Stamp duty	10	Date of Final Payment	22.04.2019	11	Date of Fit-out	06.05.2019	
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12	Possession Certificate Date	25-02-2020
13	Deed of Conveyance Registration Date	11-07-2019
14	Deed of Conveyance Registration No	1904-06852/2019

In this Complaint Petition the Complainant prays before the Authority for the following relief(s):-

1. Compensation for delay in handing over the MLCP for which they have paid Rs. 2,50,000/- by taking bank loan and giving interest thereon.

2. Compensation for devaluing their flat by blocking the entire Eastern side of their flat at Jasmine tower.

3. Compensation for missing Opportunity to sale their property since MLCP has not yet been handed over.

4. Refund the excess price taken for the discrepancy in calculating Super Built-up Area.

5. As they are paying CAM regularly from the day they have been allowed to park their car in an alternate parking space podium, their name should be removed from the CAM defaulter list and as there is no pending amount the account should be settled accordingly.

6. Refund the excess CAM taken in accordance with proper Super Built-up Area of their flat.

7. The Entrance of Jasmine Tower must be properly made at per with the entrances of other towers.

8. The narrow Driveway of Jasmine Towers should be properly broadened as per the master-plan layout showing which they sold their flat and at per with other internal road (20ft wide). The water body may be expanded as per the initial master plan.

9. Builder's Sales office should be removed from the Clubhouse. The Club activities promised in their brochure should be made fully functional for the club members i.e. the residents.

10. Immediate installation of AC Ledges on the Eastern side of Jasmine Tower.

11. Finish all Facilities and Amenities promised in their Brochure before formation of Residents' Welfare Association as per clause 8.5.6 and 11.1.9 of the Sale Agreement.

12. Amend the Road Sign for Jasmine Tower to avoid confusion for visitors and cab drivers to reach Jasmine Tower from Main Gate.

13. Rectify the Slopes of Jasmine driveway and adjacent Lawn so as to

avoid regular Water Logging on the narrow improper driveway.

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 following directions:-

Let the name of **Shri Subhankar Chatterjee** be included as a Joint Complainant as he is joint Allottee and therefore a necessary party and henceforth in all the records and communications of this matter, his name shall be recorded as a Complainant.

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

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 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 soft 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 complete the remaining works of the instant project and send a **Report on notarized Affidavit** in this regard to the Authority, serving a copy of the same to the Complainant, before the next date of hearing.

Fix **04.06.2024** for further hearing and order.



(SANDIPAN MUKHERJEE)  
Chairperson  
West Bengal Real Estate Regulatory Authority



(TAPAS MUKHOPADHYAY)  
Member  
West Bengal Real Estate Regulatory Authority