

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

Complaint No. WBRERA/COM000797

Sanat Biswas..... Complainant

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>Complainant is absent in the physical hearing today.</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 the Respondent in detail.</p> <p>As per the Complaint Petition, the Complainant has booked a flat / unit in the Project named 'Siddha Waterfront' of the Respondent Promoter. The details of the same are given herein below:-</p> <table border="1" style="width: 100%;"><tbody><tr><td style="text-align: center;">1</td><td>Complain No</td><td>WBRERACOM/000797</td></tr><tr><td style="text-align: center;">2</td><td>Name of Complainant</td><td>Sanat Biswas</td></tr><tr><td style="text-align: center;">3</td><td>Project Name</td><td>Siddha Waterfront</td></tr><tr><td style="text-align: center;">4</td><td>Promoter's Name</td><td>Siddha Waterfront LLP (Siddha Groups)</td></tr><tr><td style="text-align: center;">5</td><td>Flat No</td><td>ORC-1104</td></tr><tr><td style="text-align: center;">6</td><td>Tower No & Name</td><td>1B – Orchid Block</td></tr><tr><td style="text-align: center;">7</td><td>Block No & Name</td><td>1B – Orchid Block</td></tr><tr><td style="text-align: center;">8</td><td>Floor No</td><td>11th Floor</td></tr><tr><td style="text-align: center;">9</td><td>Total Cost</td><td>Rs. 44,00,000/- (Excluding Registration fee Rs. 2,62,284/-)</td></tr><tr><td style="text-align: center;">10</td><td>Total Payment till date</td><td>Full Payment</td></tr><tr><td style="text-align: center;">11</td><td>Date of Fit out</td><td>07.03.2020</td></tr><tr><td style="text-align: center;">12</td><td>Delivery of Possession</td><td>07.03.2020</td></tr><tr><td style="text-align: center;">13</td><td>Date of conveyance Registration</td><td>20.07.2020</td></tr></tbody></table>	1	Complain No	WBRERACOM/000797	2	Name of Complainant	Sanat Biswas	3	Project Name	Siddha Waterfront	4	Promoter's Name	Siddha Waterfront LLP (Siddha Groups)	5	Flat No	ORC-1104	6	Tower No & Name	1B – Orchid Block	7	Block No & Name	1B – Orchid Block	8	Floor No	11 th Floor	9	Total Cost	Rs. 44,00,000/- (Excluding Registration fee Rs. 2,62,284/-)	10	Total Payment till date	Full Payment	11	Date of Fit out	07.03.2020	12	Delivery of Possession	07.03.2020	13	Date of conveyance Registration	20.07.2020	
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	In this Complaint Petition the Complainants pray before the																																								

Authority for the following relief(s):-

(Super Built up area)

(i) Pass an order by directing the respondent/builder to issue clarification on the subject.

(Resident welfare Association (RWA))

(i) Pass an order by directing the respondent/builder to form the Association of Apartment's owners (phase-wise) at the earliest.

(Common Area Maintenance Bill)

(i) Pass an order by directing the respondent to publish the CAM Collection and Expenditure audited report with detailed breakup to every CAM Payer till the formation of RWA.

(ii) Pass an order by directing the respondent to provide clarification on how the units of electricity consumed in the common area are calculated without any separate electric submeters.

(iii) Pass an order by directing the respondent to immediately install separate sub meters for different consumption.

(iv) Pass an order by directing the respondent to remove "Discount/Abatement" column from CAM invoice.

(v) Pass an order by directing the respondent to remove 18% GST and Interest on CAM from CAM invoice. Re-raise CAM invoice accordingly.

(Failure of Project Completion & Issue of Completion Certificate)

(ii) Pass an order by directing the respondent to give and meet the timeline for all relevant project works.

(Master Plan)

Take necessary legal action against the builder for changing the Master Plan resulting in blockage of open sky/ daylight and breach of trust.

(Water filtration plant)

(i) Pass an order by directing the respondent to review the performance of WTP and a certificate may be obtained from PHE or competent authority so that sedimentation reduced to its low level.

(ii) Pass an order by directing the respondent to repair as soon as possible by replacing or by repairing the water filtration plant to cope up with sedimentation and contamination issues of water.

(iii) Pass an order by directing the respondent to increase the capacity of water filtration plant.

(iv) Pass an order by directing the respondent to arrange to bring in surface water supply in the complex as per govt mission in order to maintain ground water eco system.

(Sewage treatment Plant)

(i) Pass an order by directing the respondent to review the performance of STP and a certificate may be obtained from competent authority.

(Deficiency of Service and Other issues)

(i) Pass an order by directing the respondent to bar the other parties who have no interest in the complex and common utilities etc. to use and enjoy the same.

(ii) Pass an order by directing the respondent to repair all the ground floor toilets and make usable.

(Amenities and Facilities)

(i) Pass an order by directing the respondent to hand over the amenities as ensured in the brochure of the project by completing it in all means at the earliest.

(ii) Pass such other order/orders or interim order/orders as may be deemed fit and proper in the facts and circumstances of the case.

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:-

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