

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

Complaint No. WBRERA/COM000505

Sanjib Das Complainant

Vs

Mana Ma Real Estate Developers Pvt. Ltd..... Respondent

| Sl. Number and date of order | Order and signature of the Authority | Note of action taken on order |
|------------------------------|---|-------------------------------|
| 01 30.07.2024 | <p>Complainant (Mobile - 9903029875 & email Id: sanjibdas.photography@gmail.com) is present in the physical hearing and signed the Attendance Sheet.</p> <p>Authorized Representative Mr. Gopal Krishna Lodha (Mobile - 9903275333 and email - rrlservices2018@gmail.com) is present 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 Complaint Petition, the fact of case is that the Complainant purchased a 3 BHK flat (flat no. 1E, Plot No. B-10/235, P.O. & P.S. Kalyani, Dist - Nadia, Pin 741 235, W.B.), alongwith one covered parking measuring 135 sq.ft on the ground floor (as specified on the Deed of Conveyance) from Mr. Amit Pansanri, (S/o. Shri. Lakhi Prasad Pansari) of M/s. Mana Ma Real Estate Developers Pvt. Ltd, the Respondent herein. The flat is part of the 'Utsav Ashiyana, Phase II' project (HIRA/P/NAD/2019/000712). Rs.4.00 lakhs were taken for the covered parking (mentioned in the Agreement for Sale), but when the same was handed over to the Complainant, he found that as per the demarcation, they gave approximately 80 sq.ft. of the area parking space, which is much less area than what is mentioned in the Deed and the width of the car entrance is approximate 5'-7" only, making it impossible for the Complainant to park his car comfortably.</p> <p>The Complainant has given repeated reminders to Mr. S. Pansari (verbally and also on Whatsapp) and sent a registered letter to the builder asking for an acceptable solution and also to provide some essential documents like the completion and possession letter of his flat, sanctioned building plan which is very much related to his flat, but he got no responses.</p> <p>As he has a car, due to this reason, even after getting the handover of his flat on 30th October, 2022, he cannot shift to his new flat. This is not only causing a substantial financial loss every month for him but also causing deep trauma to him and his family for a long time.</p> | |

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

- a) 135 sq.ft. covered parking area marked 01 (as mentioned in the registered deed) should be handed over in habitable condition at the earliest; and

- b) Handover of the following documents of his flat:-

Completion certificate, Possession letter of his flat and Sanctioned Building Plan.

- c) Compensation claim of an amount of Rs.20,00,000/- (Rs. Twenty Lakh only).

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 this 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 through email.

The **Complainant** is further directed to send a scan copy of his Affidavit alongwith annexure to the email Id of the Authorized Representative of the Respondent, as mentioned above.

The **Respondent** is hereby directed to submit its 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.

Fix **12.12.2024** for further hearing and order.

sd/-

(BHOLANATH DAS)
Member

West Bengal Real Estate Regulatory Authority

sd/-

(TAPAS MUKHOPADHYAY)
Member

West Bengal Real Estate Regulatory Authority

Certified to be True Copy

sd/-

30.07.2024

Special Law Officer

West Bengal Real Estate Regulatory Authority