

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

Complaint No. WBRERA/COM000242

Suvro Datta..... Complainant

Vs.

Dharitri Infraventure Private Limited..... Respondent

Sl. Number and date of order	Order and signature of Authority	Note of action taken on order
01 <u>23.11.2023</u>	<p>Complainant (Mob. No. 9830378378 & email Id – dattasuvro@gmail.com) is present in the physical hearing filing hazira and signed the attendance sheet.</p> <p>Respondent is absent in the physical hearing and also submitted an adjournment petition through email due to the sudden event of the Respondent's conducting Ld. Advocate and prayed for fixing a short date for hearing.</p> <p>Let the copy of the prayer of the application of the Respondent through email on 23.11.2023 be taken on record.</p> <p>The Authority is decided to proceed with case in the interest of speedy disposal of the matter.</p> <p>Heard the Complainant in detail.</p> <p>The case of the Complainant is that, he has procured a 4 khattah plot of land with 15 feet metallic road access from both South and West side of my property as per Deed of Conveyance from the Dhairitri Infraventure Private Limited being the confirming partner on 14.03.2022. As per query he also paid Rs. 10,00,000/- more in purchasing the plot and accordingly paid extra Stamp duty and Registration fee. Further the Complainant alleged that through committed as per Deed of Conveyance (DoC), Dharitri Management is saying that they cannot provide road access on west side, as they have changed their project plan. After registration, Dharitri recently conveyed that, they will deduct 80 sq.ft. land from his purchased plot area for making road. This is illegal and not in line with the Deed of Conveyance. The Complainant also stated that, as per the project plan they committed during booking that his plot shall have open south only with boundary wall overlooking Iskon ground. But now, they are constructing 6-8</p>	

storied building there. The earlier proposal community hall with swimming pool on North has now been removed from the plan. Also, no boundary wall is yet built beside his plot.

In this Complaint Petition the Complainant prays for the relief of the followings:-

1. To get his property delivered as corner plot with 15 feet metallic road on South and West side as committed in DoC.
2. Handing over his property with total area measuring 4 kattah during delivery as mentioned in DoC.
3. The final Sanction Plan should comply to above two clauses which should be submitted to municipality or panchayet for approval to start construction.
4. Boundary wall, south open with only boundary wall and community hall facilities in same distance as mentioned in Project Plan during booking.
5. All constructions on hold in 50 meters radius from his plot areas to ensure the requisite clearances to be provided to his allotted plot location as committed in DoC.
6. No construction in 50 meter radius to secure ample space to allot the south and west side road clearances.
7. Boundary wall for security in the project campus to avoid trespasser.
8. Revised project plan as per commitment ensuring all surroundings and facilities as committed during booking and at DoC.

After hearing the Complainant, 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 his Complaint Petition on a Notarized Affidavit annexing therewith notary attested

supporting documents 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 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 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 either by post or by email whichever is earlier.

The Respondent is further directed for no construction to be done till the final disposal of this Complaint Petition.

Fix **11.01.2024** for further hearing and order.



(SANDIPAN MUKHERJEE)
Chairperson

West Bengal Real Estate Regulatory Authority



(BHOLANATH DAS)
Member

West Bengal Real Estate Regulatory Authority



(TAPAS MUKHOPADHAY)
Member

West Bengal Real Estate Regulatory Authority