

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

Complaint No. COM 000111(erstwhile WBHIRA)

Tapas Banerjee.....Complainant

Vs.

Sukdeb Koley..... Respondent

Sl. Number and date of order	Order and signature of Authority	Note of action taken on order
(5) Execution ----- 12.03.2024	<p>Today is the 5th day of execution hearing of this matter.</p> <p>Complainant (Mob. No. 9830372737 & email Id- tapasbanerjee022@gmail.com) is present in the physical hearing and signed the Attendance Sheet.</p> <p>Advocate Juhi Shaw (Mob. No. 9038638361 & email Id – advjuhishaw@gmail.com) is present in the physical hearing on behalf of the Respondent filing vakalatnama and signed the Attendance Sheet.</p> <p>Heard both the parties in detail.</p> <p>The Respondent submitted a Notarized Affidavit dated 12.03.2024, as per the last order of the Authority dated 12.02.2024, which has been received by this Authority today at the time of hearing.</p> <p>Let the said affidavit of the Respondent be taken on record.</p> <p>The Respondent at the time of hearing served a copy of the said Affidavit to the Complainant on receipt.</p> <p>In the said affidavit, the Respondent stated that they are ready to give the possession of the flat to the Complainant, as they have</p>	

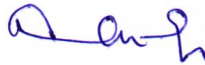
completed the construction work and the possession of installation of lift is in progress and probably it will be completed within 90 (ninety) days from today.

In the alternative, the Respondent is also ready to pay the refund of the Principal Amount paid by the Complainant, if the Complainant wants the same. He also stated that in the Agreement for Sale there was no clause for payment of delay interest due to delay in delivery of possession of the flat.

After hearing both the parties, the Complainant is directed to submit an Affidavit against the Affidavit of the Respondent dated 12.03.2024, specifically stating whether he wants to take possession of the flat alongwith interest for the delay period in giving possession or he wants to take refund of the Principal Amount paid by him alongwith interest and send the said Affidavit (in original) to the Authority, serving a copy of the same to the Respondent, both in hard and scan copies, within **10 (ten)** days from the date of receipt of this order of the Authority through email.

The Respondent is also directed to submit a notarized affidavit stating the present status of the flat booked by the Complainant, annexing the recent photographs in this regard and the list of remaining works to be done in the said flat and in the common areas of the said flat alongwith the time schedule within which the remaining works will be completed, and send the said Affidavit to the Authority, serving a copy of the same to the Complainant, both in hard and scan copies, within 10 days from the date of receipt of this order of the Authority through email.

Fix **23.04.2024** for further hearing and order.



(SANDIPAN MUKHERJEE)

Chairperson

West Bengal Real Estate Regulatory Authority



(TAPAS MUKHOPADHYAY)

Member

West Bengal Real Estate Regulatory Authority