

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

Complaint No.WBRERA/COM 000146

Navin Kumar Singh Complainant

Vs.

Bengal Shelter Housing Development Ltd..... Respondent

Sl. Number and date of order	Order and signature of Officer	Note of action taken on order
01 25.07.2023	<p>Complainant is present in the online hearing filing hazira through email.</p> <p>Advocate Angshuman Roy (Mob. No. 9830474773) is present in the online hearing on behalf of the Respondent, filing hazira and Vakalatnama through email.</p> <p>Heard both the parties in detail.</p> <p>The Complainant submitted that a Joint Sector Company with West Bengal Housing Board named as 'Bengal Shelter Housing Development Limited', made allotment of a residential flat in favour of the Complainant in the year 2007 in the project named as 'Teen Kanya' situated at New Town Action Area -II, but construction has not yet completed and peaceful possession not yet given to the Complainant. However, the Respondent continued to demand money without completion of work even after 15 years.</p> <p>The Complainant stated at the time of hearing that he has paid around Rs. 16-17 lakhs to the Respondent for the purchase of the said flat and the total cost of the flat was around Rs. 22 lakhs. The delivery of possession of the said flat was scheduled to be given by the year 2010.</p>	

The Complainant prays for the relief of:-

- a) Completion of construction and peaceful possession of the allotted flat within a time line and under assurance of WBRERA.
- b) Compensation for delay in construction and interest for the delay period.

The Respondent stated at the time of hearing that a case is pending before the Hon'ble High Court regarding this matter and the present Complainant is a Petitioner in the said case. The case is pending before the Hon'ble High Court and therefore the present Complaint Case is not maintainable before the WBRERA Authority.

After hearing both the parties, the Authority is hereby pleased to give the following orders:-

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 a notarized affidavit to 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.

Both the parties are directed to specifically mention in their respective affidavit the present status of the matter pending before the Hon'ble High Court at Calcutta and enclose all the orders of the said matter with their respective affidavits.

Fix **31.08.2023** for further hearing and order.



(SANDIPAN MUKHERJEE)
Chairperson
West Bengal Real Estate Regulatory Authority



(BHOLANATH DAS)
Member
West Bengal Real Estate Regulatory Authority



(TAPAS MUKHOPADHYAY)
Member
West Bengal Real Estate Regulatory Authority