

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

Complaint No. WBRERA/COM000621

Bandhu Sundar Saha and Beauti Saha..... Complainants

Vs

Naolin Realcon Pvt. Ltd..... Respondent


Sl. Number and date of order	Order and signature of Authority	Note of action taken on order
04 09.07.2024	<p>Complainant Bandhu Sundar Saha is present in the physical hearing and signed the Attendance Sheet.</p> <p>Advocate of the Respondent Shri Soumik Das (Mobile-9330070670, Email Id:-soumik.legal@gmail.com), is present in the physical hearing filing vakalatnama and signed the Attendance Sheet.</p> <p>Heard both the parties in detail.</p> <p>The Respondent submitted a Notary attested Affidavit stating that he has made the necessary repair of the subject matter flat, as per the last order of the Authority dated 21.03.2024, and he has also annexed some photos/pictures in this regard with the said Affidavit.</p> <p>He further stated that he has taken initiative for formation of Association of Allottees but only three (3) Allottees has submitted documents and other five (5) out of the total eight (8) Allottees have not submitted documents till date for formation of Association.</p> <p>Complainant stated at the time of hearing that no notice has been served to him giving prior intimation that repair will be done in the subject matter flat.</p> <p>After hearing both the parties and after examination of the Affidavits placed on record, this Authority is hereby pleased to direct the following:-</p> <p>a) The Complainant shall submit a Notarized Affidavit stating the details of whether repair of the subject matter flat has been done or not, as per the Complaint Petition and he also shall annex photographs in this regards alongwith his Affidavit and he shall specifically mention, in his affidavit, that those photographs are related to his flat, within 15 days from the date</p>	

of receipt of this order of the Authority through email.

- b) The **Respondent** shall submit a Written Response on Notarized Affidavit, to the Affidavit of the Complainant as directed at (a) above, within **15 days** from the date of receipt of the said Affidavit.
- c) The **Respondent** is directed to fix a date for a meeting with the Allottees for taking necessary steps for formation of Association of Allottees under the West Bengal Apartment Ownership Act, 1972.
- d) **All the eight(8) Allottees** of the project are hereby directed to give all necessary co-operation for formation of Association of Allottees, as per section 19(9) of the Real Estate (Regulation and Development) Act, 2016 and if any of the Allottee(s) failed to provide co-operation in the formation of Association and / or failed to give the necessary documents, then the Authority may include the said Allottee(s) in the present Complaint Petition and after giving him reasonable opportunity of being heard, if the Authority considers it fit to do so, this Authority may impose penalty upon the said Allottee(s) for non-compliance of of this order as per section 67 of the said Act.

The Authority shall review the matter on the next date of hearing.

Fix **23.10.2024** for further hearing and order.


(BHOLANATH DAS)

Member

West Bengal Real Estate Regulatory Authority


(TAPAS MUKHOPADHYAY)

Member

West Bengal Real Estate Regulatory Authority