

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

Complaint No.WBRERA/COM(PHYSICAL)000034

Sekhar Kumar Sengupta & Saheli Sengupta

..... Complainant

Vs

Dharitri Infraventure Pvt. Ltd.

..... Respondent

Sl. Number and date of order	Order and signature of Officer	Note of action taken on order
1 ----- 09.02.2023	<p>Advocate Satadru Shastri is present on behalf of the Complainant filing hazira through email.</p> <p>Advocate Sayantani Das is present on behalf of the Respondent filing hazira and Vakalatnama through email.</p> <p>Heard both the parties in detail.</p> <p>The case of the Complainant is that, they booked a flat in the project named 'Dhariti Webcity' of the Respondent and a Memorandum of Understanding was executed, between the parties, for Sale of the Flat, on 13th March, 2018 and Rs. 5,35,000/- (Rupees five lakhs thirty five thousand only) was deposited as an earnest and advance money out of total consideration money of Rs. 17,40,000/-(Rupees seventeen lakhs forty-thousand only).</p> <p>As per the Complainant the project was cancelled and the</p>	

Complainant claimed for refund of their money deposited by them to the Respondent and application for refund of money was submitted to the Respondent on 17.03.2020 but no response was received from the end of the Respondent till date.

The Complainant prays before the Authority for refund of the amount Rs. 5,35,000/- (Rupees five lakhs thirty five thousand only) deposited with the Respondent along with interest @ 5.65% as promised by the Respondent.

The Advocate for the Respondent submitted that, they are ready and willing to give the refund amount paid by the Complainant but they need some time for this purpose. She has also given a proposal for an alternate flat to the Complaint, if the Complainant agrees to the proposal.

After hearing both the parties, this Authority satisfied to admit this matter for further hearing and order.

The Complainant is directed to submit his total submission in respect of the complaint petition on a Notarized Affidavit annexing therewith self-attested photo-copies of all supporting documents and send original affidavit to the Authority and a copy to the Respondent, both in hard and soft copies, within 10 (ten) days from the date of receipt of this order by email.

The Respondent is directed to submit its total Written Response on a Notarized Affidavit, specifically stating the time period for refund of the amount paid by the Complainant along with interest and also giving the details of the alternative flats as proposed by their Advocate at the time of today's hearing and send the original Affidavit to the Authority and a copy both hard

and soft version, to the Complainant within 10 (ten) days from the date of receipt of the Affidavit from the Complainant.

The Complainant may submit reply/rejoinder, if any, on a Notarized Affidavit, within 10 (ten) days from the date of receipt of the Affidavit of the Respondent.

Both the parties will be at liberty to mutually discuss and come to a amicable settlement including inspection for alternative flats, as the same may be, if any, within the next date of hearing. If they come to any settlement, both of them will file a mutual affidavit to the Authority, containing all terms and conditions of the settlement, signed by both parties, before the next date of hearing.

Fix **14.03.2023** 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