

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

Complaint No.WBRERA/COM-000106

Indrajit Prasad Deo Complainant

Vs.

Kanchan Mitra & Gautam Sadhukhan..... Respondents

Sl. Number and date of order	Order and signature of Officer	Note of action taken on order
01 23.05.2023	<p>Complainant is present in the online hearing filing hazira through email.</p> <p>Advocate Surojit Halder is present on behalf of the Respondent. He is directed to submit his hazira and Vakalatnama to the Authority by email within tomorrow.</p> <p>Heard both the parties in detail.</p> <p>As per the Complainant he along with his wife had executed an Agreement for Sale with 'M.S. Construction' on 8th day of August, 2016 for the purchase of a Commercial Place measuring super built up area of 220 Sq.ft. approximately on ground floor of a project to be developed by Mr. Kanchan Mitra and Mr. Goutam Sadhukan both of them are the partners of M.S. Construction. In consideration of the Respondent Company having agreed to construct and build the said commercial space along with common areas and facilities within October, 2016, the Complainant had already paid Rs. 3,00,000/- (Rupees three lakh) only by cheques bearing Nos. 869859, 869860, 863794 and 863795. Till date the Complainant has not received the possession of the said commercial space.</p>	

The Complainant in this Complaint petition prayed for the relief of either delivery of possession of the commercial space immediately or on the failure of the Respondent to do so refund of the Principal Amount paid by him along with interest.

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

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 10 days from the date of receipt of this order through email.

The Complainant is further directed to make a prayer in his Notarized Affidavit as mentioned above to include 'M.S. Construction' as one of the Respondent and also to include his wife as Joint Complainant in this matter.

The Respondent is directed to submit his Written Response regarding the Complaint Petition and Affidavit of the Complainant on a Notarized Affidavit 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 10 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 to provide email IDs of M.S, Construction and Kanchan Mitra and Gautam Sadhukhan in their Notarized Affidavit.

The Advocate Surojit Halder on behalf of the Respondent has provided his email ID at the time of hearing which is given

below:-

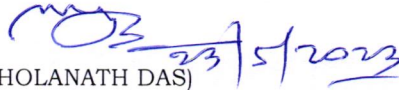
halderadvurojit@gmail.com

Let all the communications to the Respondent be also sent to the email ID of the Advocate of the Respondent henceforth. Complainant is also directed to send the scanned copy of his affidavit to this email ID of the Advocate of the Respondent.

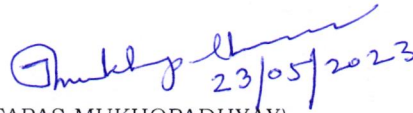
Fix 28.06.2023 for further hearing and order.



(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