

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

Complaint No. WBRERA/COM000205

Mrs. Tania Dey and Mr. Nilarya Talukdar..... Complainants

Vs.

Vedic Realty Private Limited..... Respondent No. 1

Mr. Uday Modi..... Respondent No.2

Mr. Raj Kishore Modi .....Respondent No. 3

Sl. Number and date of order	Order and signature of Authority	Note of action taken on order
03 03.05.2024	<p>Complainants are present in the online hearing filing hazira through email.</p> <p>Respondent is absent in the online hearing despite due service of hearing notice to the Respondent through speed post and also by email.</p> <p>Let the track record of due service of hearing notice to the Respondent be kept on record.</p> <p>The Complainants submitted Notarized Affidavit dated 02.04.2024 through email to the Authority, containing their submission as per direction (a) of the last order of the Authority dated 30.01.2024, which has been received by this Authority through email on 04.04.2024.</p> <p>Let the said Affidavit dated 02.04.2024 of the Complainant received through email be taken on record.</p> <p>The Respondent did not submit any Notarized Affidavit till date before the Authority as per last order of the Authority dated 30.01.2024.</p> <p>The Authority has taken strong exception to the fact that the Respondent Company completely ignored / neglected to comply the order of the Authority dated 21.11.2023 and 30.01.2024 and the Authority is of the considered opinion that penalty should be imposed upon the Respondent as per section 38 read with section 61 of the Real Estate (Regulation and Development) Act, 2016, for non-compliance of the orders of the Authority dated 21.11.2023 and 30.01.2024.</p> <p>Heard the Complainants in detail.</p> <p>After hearing the Complainants, the Authority is hereby pleased to give the following directions:-</p> <p>a) The Complainants are hereby directed to submit the hard copy of the</p>	

Notarized Affidavit (in original) to the Authority, serving a photo copy of the same (hard copy) to the Respondent, within **7 days** from the date of receipt of this order of the Authority by email; and

- b) The Directors of the Respondent Company namely Mr. Uday Modi & Mr. Raj Kishore Modi are hereby directed to appear positively in person before the Authority on the next date of physical hearing; and
- c) The Respondents are hereby further directed to **show cause** on a Notarized Affidavit why a penalty of Rs.5,00,000/- (Rupees five lakhs only) shall not be imposed upon the Respondents for non-compliance of the orders of this Authority dated 22.11.2023 and 30.01.2024 till date and send the Affidavit (in original) to the Authority within the next date of hearing; and
- d) The Respondents are also directed to submit the Written Response on another Notarized Affidavit regarding the Complaint Petition and Affidavit of the Complainant and send it to the Authority (in original), serving a copy of the same to the Complainant, both in hard and scan copies, within **15 (fifteen)** days from the date of receipt of this order of the Authority through email; and
- e) Respondents are hereby given the last chance to submit their Written Response, failing which, no more chance / time shall be given to the Respondents to submit their defence for the ends of speedy disposal of justice, as per section 29(4) of the Real Estate (Regulation and Development) Act, 2016 and the Authority is of the opinion that sufficient time and reasonable opportunity have already been given to the Respondent to submit their defence; and
- f) If the Respondent remain absent even on the next date of hearing, the Authority shall have no other option but to proceed with ex-parte hearing and disposal of this matter for the ends of speedy disposal of justice.

Fix **15.07.2024** for further hearing and order and on the next date hearing shall be held physically in the office of WBRERA.

  
(BHOLANATH DAS)

Member

West Bengal Real Estate Regulatory Authority

  
(TAPAS MUKHOPADHYAY)

Member

West Bengal Real Estate Regulatory Authority