

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

Complaint No. WBRERA/COM000305

Angshumitra Chowdhary..... Complainant

Vs

Unimarkmirania Projects LLP..... Respondent

Sl. Number and date of order	Order and signature of the Authority	Note of action taken on order
01 <u>23.04.2024</u>	<p>Complainant is present in the physical hearing and signed the Attendance Sheet.</p> <p>Respondent is absent in the physical hearing despite due service of hearing notice to the Respondent through speed post and also by email.</p> <p>Let the track of the due service of hearing notice to the Respondent be kept on record.</p> <p>Heard the Complainant in detail.</p> <p>The fact of the case is,-</p> <ol style="list-style-type: none">1. The registration of her flat was done by 2021 November. The Respondent Company has taken money from her in lieu of mutation, but still since two years it is kept pending.2. It is clearly mentioned in the registration deed, that Lakewood estate phase 1 can make its own residents association which can combine with phase 2 later. The Respondent-Developer has not initiated the process and The Complainant alongwith others are forced to pay GST which is an unnecessary burden for them.3. The Complainant has issues with the tiles laying, fittings of poor quality, poor water treatment plant, seepage in various places. The developer wants to quit the project without resolving the issues.4. The DG set is not supporting 3 KVA but she alongwith other Allottees have paid in full for the same.5. The external plant of phase 1 has become shabby because of the grouting work done by the Respondent-Developer.	

The Complainant prays before the Authority for the relief of correction of the points as mentioned in the facts of the case and payment of penalty for the monetary and mental harassment.


After hearing the Complainant, the Authority is pleased to admit this matter for further hearing and order as per the provisions contained in Section 31 of the Real Estate (Regulation and Development) Act, 2016 read with Rule 36 of the West Bengal Real Estate (Regulation and Development) Rules, 2021 and give the following directions:-

The Complainant is directed to submit her total submission regarding their Complaint Petition on a Notarized Affidavit annexing therewith notary attested /self-attested supporting documents and a signed copy of the Complaint Petition and send the Affidavit (in original) 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 of the Authority by email.

The Respondent is hereby directed to submit his Written Response on notarized affidavit regarding the Complaint Petition and Affidavit of the Complainant, annexing therewith notary attested/self-attested supporting documents, if any, and send the Affidavit (in 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.

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. On the next date the hearing shall be held through online mode.


(BHOLANATH DAS)

Member

West Bengal Real Estate Regulatory Authority


(TAPAS MUKHOPADHYAY)

Member

West Bengal Real Estate Regulatory Authority