

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

Complaint No. WBRERA/COM000723

Manoj Kumar Chandgothia Complainant

Vs

M/s. Shiv Mahima Developers Private Limited..... Respondent

Sl. Number and date of order	Order and signature of the Authority	Note of action taken on order
01 25.04.2024	<p>Advocate Mrs. Ritaja Mukherjee (Mob. 9038134542 & email Id: ritaja.mukherjee29@gmail.com) is present in the online hearing on behalf of the Complainant, filing hazira and Vakalatnama through email.</p> <p>Chartered Accountant Mr. Gopal Krishna Lodha is present in the online hearing on behalf of the Respondent filing hazira and Authorization through email.</p> <p>Heard both the parties in detail.</p> <p>It has come to the notice of the Authority at the time of hearing that on the self-same matter one Complaint Case was filed before the erstwhile WBHIRA by Complaint No. COM-000170 and number of hearings have been held before the erstwhile WBHIRA and after that on 4th May, 2021, WBHIRA was stuck down by the Hon'ble Supreme Court of India.</p> <p>By order dated 12.05.2023 the Hon'ble Supreme Court has been pleased to order that all the Complaint Cases which have been filed and heard by the erstwhile WBHIRA shall stand transferred before the WBRERA and WBRERA shall take up the hearing from the stage up to which erstwhile WBHIRA has heard the matter.</p> <p>Therefore the hearing of the present Complaint matter that is Complaint No.WBRERA/COM000723 is hereby closed and disposed of and the Authority shall proceed with the hearing of Complaint No. COM000170 filed before the erstwhile WBHIRA.</p>	

After hearing both the parties, the Authority is hereby pleased to give the following directions:-

- a) The Complainant shall submit a Notarized Affidavit stating the present status of the construction of the instant project and the flat booked by him alongwith the reliefs claimed by him in the said affidavit and send the Affidavit (in original) to the Authority, serving a copy of the same to the Respondent, both in hard and scan copies, within **15 days** from the date of receipt of this order of the Authority through email; and
- b) The Respondent shall also submit a Notarized Affidavit stating the present status of the construction of the instant project and the flat booked by the Complainant alongwith his response regarding the reliefs claimed by the Complainant in his Affidavit and send the Affidavit (in original) to the Authority, serving a copy of the same to the Complainant, both in hard and scan copies, within **15 days** from the date of receipt of the Affidavit of the Complainant by post or by email, whichever is earlier; and

Fix **26.06.2024** for further hearing and order.


(BHOLANATH DAS)

Member

West Bengal Real Estate Regulatory Authority


(TAPAS MUKHOPADHYAY)

Member

West Bengal Real Estate Regulatory Authority