

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

Complaint No. WBRERA/COM000235

Arani Gupta & Moutusi Nath..... Complainants

Vs

Astdurga Construction Pvt. Ltd..... Respondent

Sl. Number and date of order	Order and signature of Authority	Note of action taken on order
01 22.02.2024	<p>Complainant is present in the online hearing filing hazira through email.</p> <p>Advocate Smt. Kaberi Kundu (Mob. No.9836997518 &amp; email Id-advocate.kaberi@gmail.com) is present in the online hearing on behalf of the Respondent filing hazira through email. She is directed to send her Vakalatnama/Authorization through email to the Authority immediately after today's hearing.</p> <p>Heard both the parties in detail.</p> <p>As per the Complainant he alongwith his wife Moutusi Nath have purchased a flat, being No. DD5, in the project named '<b>Meena Gracia</b>' of the Respondent in 2015. He got the possession of the flat on 21.06.2019 from the Respondent. At the time of handover of the flat, the Respondent provided them only a possession letter in their Letter Head. But despite multiple follow ups over phone/mail, the Respondent has not yet provided the Completion Certificate to them. For this reason, although the registration of the flat is in their name, but they are unable to go ahead for mutation &amp; pay the tax. Without these documents, they are also unable to sell this flat.</p> <p>In this Complaint Petition the Complainant prays for the relief of getting a copy of the Completion Certificate (C.C) for this project from the Respondent and as a consumer, the Complainants also demanded financial compensation from the Respondent developer.</p> <p>After hearing both the parties, 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</p>	

Bengal Real Estate (Regulation and Development) Rules, 2021 and give the following directions:-


Let **Smt. Moutusi Nath** be included as a joint Complainant in the present Complaint Petition as she is the wife of Mr. Arani Gupta and also a Joint Allottee in the present transaction. Both the Complainants shall sign the affidavit.

The Complainants are directed to submit their 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 through email.

Complainants are further directed to send a scan copy of their whole Affidavit to the advocate of the Respondent through email to her email address as mentioned above.


The Respondent is hereby directed to submit his Written Response on notarized affidavit regarding the Complaint Petition and Affidavit of the Complainants, 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 Complainants, both in hard and soft copies, within **15 (fifteen)** days from the date of receipt of the Affidavit of the Complainants either by post or by email whichever is earlier.

Fix **15.04.2024** for further hearing and order.

  
(BHOLANATH DAS)

Member

West Bengal Real Estate Regulatory Authority

  
(TAPAS MUKHOPADHAY)

Member

West Bengal Real Estate Regulatory Authority