

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

Complaint No. WBRERA/COM000517

Kallol Rakshit..... Complainant

Vs

Nortech Property Pvt. Ltd.....Respondent

Sl. Number and date of order	Order and signature of Authority	Note of action taken on order
01 03.01.2024	<p>Complainant is present in the online hearing filing hazira through email.</p> <p>Advocate Abdul Masood (Email Id- abdulmasood.advocate@gmail.com) is present in the online hearing on behalf of the Respondent filing hazira and vakalatnama through email.</p> <p>Heard both the parties in detail.</p> <p>As per the Complainant, the following allegations are there against the Respondent-Developer regarding their project named 'Eden Tolly Gardenia' :-</p> <ol style="list-style-type: none">1. Unregistered borewell/submersible pump of unknown dept (reportedly low depth - only 80 ft.) installed specifically for construction purposes which is not suitable for providing Drinking Water (Since KMC Water Connection not feasible/available). Developer denied to provide proper water treatment plant to convert it to healthy drinking water as initially reported to WBHIRA document.2. Mismatch of actual total built up area as per Form -A with respect to the report submitted to WBHIRA.3. Mismatch of total number of covered car parking area as reported to WBHIRA.4. Transformers are installed very close to block 2 towel 2 causing danger to the flat owners, in case of any fire break out causing accidental blat/blown off of the transformers and electrical feeders.5. Moreover in the demand notice under section 11 C of the West Bengal Fire Services Act 1950, memo no. WBFES/7074/16/24PG(S) issued by the Director, Fire Prevention Wing, abutting road width is given as 6.7 Mtrs but actual road width is much less, (3.5-4Mtrs). Hence, proper access of the fire engine/vehicle as well as Ambulance Vehicle with life	

support system during emergency time stand very problematic and alarming.

In this Complaint Petition, the Complainant prays before the Authority for the following reliefs:-

1. Respondent-Developer has to arrange another borewell (in accordance with the norms of S.W.I.D) submersible pump of minimum 800 ft. depth, which can provide germ free drinking water. This may be treated as second source of water in case of failure of the first one as KMC water connection is not feasible.
2. Respondent-Developer has to arrange permanent drainage system with KMC.
3. All misleading reports to be corrected and submitted to the Authority after proper verification.
4. Actual abutting road width may be increased to maximum permissible width to have free access of fire engine/vehicle and ambulance with life support system.
5. Fire guard wall may be installed covering the transformer to prevent transmission of fire.

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

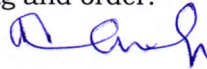
The Complainant is directed to submit his total submission regarding his Complaint Petition on a Notarized Affidavit annexing therewith notary attested /self-attested supporting documents and a signed copy of the Complaint Petition and send the Affidavit (in original) to the Authority serving a copy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

The Complainant is further directed to send a scan copy of the Affidavit with annexure to the Advocate of the Respondent in his above mentioned email id.

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 scan 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.

The Respondent is further directed to mention in their Affidavit the probable date of completion of the project.

Fix **16.05.2024** for further hearing and order.



(SANDIPAN MUKHERJEE)

Chairperson

West Bengal Real Estate Regulator Authority



(BHOLANATH DAS)

Member

West Bengal Real Estate Regulatory Authority