

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

Complaint No. WBRERA/COM000185

Indrani Chakraborty Complainant

Vs.

Soumita Construction Pvt. Ltd..... Respondent

Sl. Number and date of order	Order and signature of Officer	Note of action taken on order
01 28.08.2023	<p>Advocate Vinit Sharma is present on behalf of f the Complainant in the online hearing filing hazira and Vakalatnama through email.</p> <p>Advocate Masooma Khan 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>The Complainant stated that he has booked a flat being No. 4G on the 4th floor, Tower-5, having total super built up area of 1014 sq.ft (approx) along with the parking and other facilities, in the project named as 'The County Phase-1B' of the Respondent Company situated at Nepal Gunge Road, Daulatpur, P.S. Bishnupur, South-24 Parganas by an application dated 02.06.2014. The Allotment Letter was issued by the Respondent and Agreement for Sale was executed between the two parties on 09.08.2014. As per Agreement for Sale, he has paid an amount of Rs.6,11,942/- (Rupees six lakhs eleven lakhs nine hundred forty two only) of the Respondent. The total value of the flat was Rs.32,56,622/-. More than 8 years have been passed from the signing of the Agreement for Sale, the Respondent Company has failed to handover the possession of the said flat within the schedule time-line as agreed between the parties. On 10.07.2019 the Complainant sent an email to the Respondent for refund of the Principal Amount along with interest.</p> <p>The Complainant prayed before the Authority for the relief of</p>	

refund of the Principal Amount paid by the Complainant along with interest as per RERA Act and Rules.

After hearing both the parties, the Authority is pleased to admit this matter for further hearing and order as per the provision of Section 31 of the Real Estate (Regulation & Development) Act, 2016 read with Rule 36 of the West Bengal Real Estate (Regulation & 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 self attested supporting documents and a signed copy of the Complaint Petition and send the original Affidavit 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 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 supporting documents, if any, and send the 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.

Fix **05.10.2023** for further hearing and order.



(SANDIPAN MUKHERJEE)
Chairperson

West Bengal Real Estate Regulatory Authority



(BHOLANATH DAS)
Member

West Bengal Real Estate Regulatory Authority



(TAPAS MUKHOPADHYAY)
Member

West Bengal Real Estate Regulatory Authority