

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

Complaint No. WBRERA/COM (PHYSICAL) 000036

Sudeb Gupta Complainant

Vs.

Riverbank Developers Private Limited.....Respondent

| Sl. Number and date of order | Order and signature of Authority | Note of action taken on order |
|--|--|-------------------------------|
| 01 (Execution) <u>29.11.2023</u> | <p>Today the matter is taken up for execution hearing of the final order dated 08.08.2023 passed in this matter.</p> <p>Complainant is present in the online hearing filing hazira through email.</p> <p>Advocate Anirban Chatterjee (Phone- 9836700012 and email - adv.anirban1@gmail.com) is present in the online hearing on behalf of the Respondent filing hazira and authorization through email.</p> <p>Complainant has submitted an Application on 26.09.2023 praying for execution of the final order dated 08.08.2023, which has been received by this Authority on 27.09.2023.</p> <p>Let the said Execution Application of the Complainant be taken on record.</p> <p>Heard both the parties in detail.</p> <p>Complainant submitted that no payment has been made by the Respondent as per the final order of this Authority dated 08.08.2023 and he prayed for complete execution of the said order at the earliest.</p> <p>The Complainant also stated that a correction is required regarding the date of registration of the Deed of Conveyance in the said order, in place of 12.10.2020 the date of registration will be 08.07.2022.</p> <p>Respondent stated at the time of hearing that he requires some more time to make the refund and prayed for necessary permission for payment of the amount in 2 (two) consecutive monthly instalments.</p> <p>Complainant stated that he will accept the payment as per the direction of</p> | |

this Authority and he requested that the payment by the Respondent is to be made under the supervision / review of this Authority.

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

- a) **Let the date of registration be corrected as 08.07.2022 in place of 12.10.2020 in the 'Order Portion' of the final order of this Authority dated 08.08.2023 and a CORRIGENDUM in this regard be issued;** and
- b) The Respondent shall make payment of the amounts as per the final order dated 08.08.2023 in 2 (two) consecutive monthly installments starting from February, 2024 ending with March, 2024; and
- c) Respondent is also directed to send a **Calculation Sheet** to the Complainant after the first payment in February, 2024 and Complainant shall confirm the amount by mutual discussion and thereafter the remaining payment shall be done by the Respondent in March 2024; and
- d) The refund shall be made by **bank transfer** to the bank account of the Complainant; and
- e) The Complainant shall send his bank account details in which he wants to take the refund amount, to the Respondent by email within 3 days from the date of receipt of this order of the Authority by email; and
- f) The Respondent shall arrange for an inspection of the car parking space on 02.12.2023 by the Complainant.
- g) If the Respondent fails / neglects to comply the above order of the Authority, penalty may be imposed upon the Respondent as per the section 38 read with section 61 of the Real Estate (Regulation and Development) Act, 2016, if the Authority thinks fit to do so on the next date of hearing.

The Authority shall review the matter on the next date of hearing.

Fix **07.05.2024** for further hearing and order.



(SANDIPAN MUKHERJEE)

Chairperson

West Bengal Real Estate Regulatory Authority



(TAPAS MUKHOPADHYAY)

Member

West Bengal Real Estate Regulatory Authority