

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/COM000480

Niharendu Dutta .....Complainant

Vs

Biswajit Ray.....Respondent

Sl. Number and date of order	Order and signature of the Authority	Note of action taken on order
01 26.06.2024	<p>Complainant Mr. Niharendu Dutta (Mob. No. 7004763989 &amp; email Id: <a href="mailto:niharendu.dutta126@gmail.com">niharendu.dutta126@gmail.com</a>) alongwith his Advocate Smt. Nandita Banerjee (Mob. No. 9830761977 &amp; email Id: <a href="mailto:nandita.b06@gmail.com">nandita.b06@gmail.com</a>) are present in the online hearing submitting hazira before the Authority. Advocate Banerjee is hereby directed to send her vakalatnama to the Authority through email immediately after today's hearing.</p> <p>Respondent is absent in the online hearing despite due service of hearing notice to the Respondent through speed post and also email.</p> <p>Let the track record of due service of hearing notice to the Respondent be kept on record.</p> <p>Heard the Complainant in detail.</p> <p>The Advocate of the Complainant stated at the time of hearing that they could not submit the detail complaint at the time filling the online complaint due to some internet issues or technical issues faced by them. Therefore they prayed for submission of the detailed complaint on Affidavit before the Authority which they could not have submitted at the time of filling online complaint.</p> <p>Considered and granted the prayer of the Complainant and they are hereby given the liberty to submit their complaint in detail on a notarized affidavit as per the direction as given herein below but it shall be in the same line as submitted in the online complaint.</p> <p>As per the online Complaint Petition, the fact of the case is that the Respondent-Promoter Mr. Biswajit Ray who had claimed to give the required measurement of room as per the documents, has altered the dimensions and he is now behaving in a very unprofessional way.</p> <p>The relief claimed by the Complainant is not clearly written in the online Complaint. He is directed to submit the reliefs claimed by him in his Notarized Affidavit, as directed herein below.</p> <p>After hearing the Complainant, the Authority is pleased to admit this</p>	

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 copy of 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 scan copies, within **15 (fifteen)** days from the date of receipt of this order of the Authority by email.

As the Complainant could not submit his detailed Complaint at the time of filing online Complaint, he shall submit his detailed Complaint specifically stating facts of the case and relief sought in his Affidavit. He shall also submit whether any party to be added as Joint Complainant in this Complaint Petition in the said Affidavit.

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 copy of 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.

Fix **10.09.2024** for further hearing and order.



(TAPAS MUKHOPADHYAY)

Member

West Bengal Real Estate Regulatory Authority