

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/COM-000073

Smarajit Kotal ..... Complainant

Vs.

Dharitiri Infraventure Private Limited ..... Respondent

Sl. Number and date of order	Order and signature of Officer	Note of action taken on order
01 <u>27.04.2023</u>	<p>Mrs. Sumouli Das, wife of the Complainant and also joint allottee of the subject matter property is present in the online hearing filing hazira and authorization.</p> <p>Respondent is absent despite due service of notice.</p> <p>The Advocate of the Respondent has sent an adjournment petition to the Authority and prayed for adjournment for her illness.</p> <p>Let the petition of the Respondent be taken on record, considered and one month time is granted to file Written Response.</p> <p>Heard the Complainant in detail.</p> <p>The Complainant along with his wife Mrs. Sumouli Das have booked a 3 katha bungalow in the project named 'Royal Enclave' of the Respondent Company. They have selected two adjacent 1.5 katha plots (units B82 and B83) and accordingly they were allotted the plots via allotment letter dated 05.11.2018, after paying Rs.14,00,000/- (Rupees fifteen lakh only) along with Rs. 10,00,000/- (Rupees ten lakh only) more for registration of the 3 (three) katha land. The 3 (three) katha land was registered on April, 2019.</p> <p>Subsequently, the Respondent changed the master plan and shifted their plot to a middle plot about 20 rows back from where they</p>	

had originally reserved their bungalow. The Respondent then informed the Complainants that due to change in the master plan they would need to purchase an additional 1 katha plot to obtain a front row corner plot. The Complainant agreed and paid Rs.8,00,000/- for 1 katha plot on 22.07.2019. But the registration of the 1 katha plot of land never happened.

In the Complaint Petition, the Complainant prayed before the Authority for refund of total Rs.35,44,000/- (Rupees thirty five lakhs forty four thousand only) paid by him for purchase of the bungalow and Rs.82,464/-for the registration of the 3 katha land plus interest and compensation.

After hearing the Complainant, the Authority is satisfied to admit this matter for further hearing and order.

The Complainant is directed to submit his total submission regarding his Complaint Petition on a Notarized Affidavit annexing therewith notary attested supporting documents, if any, 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 days from the date of receipt of this order through email.

The Complainant is further directed to include the name of his wife Smt. Sumouli Das in the Complaint Petition and make a prayer in this respect in their Notarized Affidavit as mentioned above and the Notarized Affidavit should be signed by both the Complainants i.e. Smarajit Kotal and Sumouli Das.

The Respondent is directed to submit his Written Response regarding the Complaint Petition on a Notarized Affidavit annexing therewith notary attested supporting documents, if any, and send the

original Affidavit to the Authority serving a copy of the same to the Complainant, both in hard and soft copies, within 15 days from the date of receipt of the Affidavit of the Complainant either by email or by post, whichever is earlier.

Fix **06.06.2023** for further hearing and order.



(SANDIPAN MUKHERJEE)

Chairperson

West Bengal Real Estate Regulatory Authority



(BHOLANATH DAS)

Member

27/4/2023

West Bengal Real Estate Regulatory Authority