

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

Complaint No. WBRERA/COM000313 (Physical)

1. Iman Kalayan Kundu

2. Sukanya KunduComplainants.

Vs.

Shrachi Burdwan Developer Pvt. Ltd. Respondent.

Sl. Number and date of order	Order and signature of Authority	Note of action taken on order
01 03.12.2025	<p>The Complainants, Iman Kalayan Kundu and Sukanya Kundu represented by Iman Kalayan Kundu appeared physically at the time of hearing of the instant Complaint. He has filed hazira which will be kept in record.</p> <p>The Respondent, Bengal Shriram Hi-Tech City Private Limited, is represented by the authorized representative, Gopal Krishna Lodha, who appeared physically at the time of hearing of the instant Complainant. He has filed hazira and he is requested to file Authorization Letter which will be kept in record.</p> <p>The Representative of the Complainants submitted that the Complainants booked a Flat being No. 7B, Solis Tower No. 5, Solis Phase-III, Renaissance Project at Renaissance Township, Goda, Nawabhat More, Prba Burdwan of the Respondent. They entered into an Agreement for Sale dated 20/08/2023. The project is registered under HIRA having Registration No. HIRA/P/PUR/2019/000662 Dt. 18.11.2019 but in the Agreement for Sale it was mentioned wrongly. As per the Agreement for Sale the possession date was 04/01/2025. Actual Solis Tower-5 Project Registration of Phase -III for Flats/Units 150 is WBRERA/P/PUR/2023/000034 dated 31/03/2023. He also stated that as per RERA Rule, the Respondent can not receive booking amount, issue Allotment Letters, signing Agreement for Sale, issue Demand Notice, collect payment from homebuyers of Solis Tower No. 5 Phase-III against incorrect/without Registration before 31/03/2023. But the Respondent has done against incorrect Project Registration of Solies Tower -5, Phase-III received Booking Amount, issued Allotment letters, signed Agreement for Sale, issued demand notice and collect huge payment from homebuyers of Solis Tower -5, Phase - III before 31/03/2023. Now they send a mail on 10.01.2025 regarding possession date has been extended 9 months from 04/01/2025 to 04/10.2025 due to Force majeure of Covid-19 and attached some 4 years old documents issued by WBHIRA/RERA dated 01.06.2020. He also stated whenever Project Registration Number HIRA/P/PUR/2019/000662 dated 18.11.2019 not implement in Solis Tower No. -5, because Phase III of Solis Tower No.-5 Project Registration date 31/3/2023 and Number is WBRERA/P/PUR/2023/000034,</p>	

then how Force Majeure implement in Tower No. 5, Phase III.

The Complainants prayed for issuance of Show Cause Notice to the Respondent/Promoters "Why incorrect/Wrong Project Registration Number mentioned in the Agreement for Sale to the homebuyers and why Collect payment against incorrect Registration number of project from home buyers of Solos Tower-5, Phase-III" and to take action as per WB RERA Rule." Further, they demand compensation & interest from the Respondent for delaying handover of their flat as per WBRERA Rules.

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 Complainants are directed to submit his total submission regarding the 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 **2 (two) weeks** from the date of receipt of this order of the Authority by 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/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 soft copies, within **2 (two) weeks** from the date of receipt of the Affidavit of the Complainant either by post or by email whichever is earlier.

The next date of hearing is **6 (six) weeks** from date.



(JAYANTA KR. BASU)

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