

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

Complaint No. WBRERA/COM000708

Joydip De Roy and Shomita De Roy..... Complainants

Vs

Siddha Waterfront LLP..... Respondent

Sl. Number and date of order	Order and signature of Authority	Note of action taken on order																																							
01 12.03.2024	<p>Complainant Joydip De Roy is present in the physical hearing and signed the Attendance Sheet.</p> <p>Chartered Accountant Gopal Krishna Lodha is present in the physical hearing on behalf of the Respondent filing authorization and signed the Attendance Sheet.</p> <p>Heard both the parties in detail.</p> <p>As per the Complainants, they have booked a flat / unit in the Project named 'Siddha Waterfront' of the Respondent Promoter. The details of the same are given herein below:-</p> <table border="1"><tbody><tr><td>1</td><td>Complain No</td><td>WBRERACOM/000708</td></tr><tr><td>2</td><td>Name of Complainant</td><td>Joydip De Roy and Shomita De Roy</td></tr><tr><td>3</td><td>Project Name</td><td>Siddha Waterfront</td></tr><tr><td>4</td><td>Promoter's Name</td><td>Siddha Waterfront LLP (Siddha Groups)</td></tr><tr><td>5</td><td>Flat No</td><td>LAV-905</td></tr><tr><td>6</td><td>Tower No & Name</td><td>2A - Lavender Block</td></tr><tr><td>7</td><td>Block No & Name</td><td>2A - Lavender Block</td></tr><tr><td>8</td><td>Floor No</td><td>9th Floor</td></tr><tr><td>9</td><td>Total Cost</td><td>Rs. 30,22,750/- (Excluding taxes and Registration fee)</td></tr><tr><td>10</td><td>Total Payment till date</td><td>Full Payment</td></tr><tr><td>11</td><td>Date of Fit out</td><td>04.07.2019</td></tr><tr><td>12</td><td>Delivery of Possession</td><td>25.02.2020</td></tr><tr><td>13</td><td>Date of conveyance Registration</td><td>05.05.2019</td></tr></tbody></table>	1	Complain No	WBRERACOM/000708	2	Name of Complainant	Joydip De Roy and Shomita De Roy	3	Project Name	Siddha Waterfront	4	Promoter's Name	Siddha Waterfront LLP (Siddha Groups)	5	Flat No	LAV-905	6	Tower No & Name	2A - Lavender Block	7	Block No & Name	2A - Lavender Block	8	Floor No	9 th Floor	9	Total Cost	Rs. 30,22,750/- (Excluding taxes and Registration fee)	10	Total Payment till date	Full Payment	11	Date of Fit out	04.07.2019	12	Delivery of Possession	25.02.2020	13	Date of conveyance Registration	05.05.2019	
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In this Complaint Petition the Complainants pray before the Authority for the following relief(s):-

- (a) Pass an order by directing the respondent to deliver parking space as per the deed of conveyance as well as Possession Letter of that Parking space. Also interest on vehicle parking amount levied from them w.e.f date of execution of deed of conveyance upto delivery of physical possession of parking space. Apart from these the respondent be directed to compensate for delaying in possession of parking space as well as violation of "Construction Link Instalment Payment System.
- (b) Necessary legal action may be taken for changing of Master Plan resulting blockage of open sky/ daylight.
- (c) Pass an order by directing the respondent to return the extra amount taken for exaggerated super buildup area of 40 sq. ft. along with applicable interest..
- (d) Pass an order by directing the respondent to form the Association of Apartment's owners (phase-wise) at the earliest. Also please direct the respondent to publish the CAM Collection and Expenditure audited report to every CAM Payer till the formation of RWA. A special request to direct the respondent to clarify how the units of electricity consumed in the common area are calculated without any separate electric sub-meter.
- (e) Pass an order by directing the respondent to review the performance of Water Treatment Plant and a certificate may be obtained from PHE or competent authority so that sedimentation reduced to its low level.
- (f) Pass an order by directing the respondent to review the performance of STP and a certificate may be obtained from Competent Authority.

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:-

Let the name of **Mrs. Shomita De Roy** be included as a Joint Complainant as she is joint Allottee and therefore a necessary party and henceforth in all the records and communications of this matter, her name shall be recorded as a Complainant.

The Complainants are directed to submit their total submission regarding their 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 **15 (fifteen)** days 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 **15 (fifteen)** days from the date of receipt of the Affidavit of the Complainant either by post or by email whichever is earlier.

The Respondent is further directed to complete the remaining works of the instant project and send a **Report on notarized Affidavit** in this regard to the Authority, serving a copy of the same to the Complainant, before the next date of hearing.

Fix **04.06.2024** for further hearing and order.



(SANDIPAN MUKHERJEE)
Chairperson

West Bengal Real Estate Regulatory Authority



(TAPAS MUKHOPADHYAY)
Member

West Bengal Real Estate Regulatory Authority