

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

Complaint No. WBRERA/COM-000031

Monalisha Das Maity & Debasis Maity.....Complainants

Vs

Dharitri Infraventure Pvt. Ltd..... Respondent

Sl. Number and date of order	Order and signature of Authority	Note of action taken on order
6 ----- 19.02.2024	<p>Complainant alongwith his Advocate Angshuman Bhattacharjee is present in the online hearing filing hazira and vakalatnama through email.</p> <p>Advocate Sayantani Das is present in the online hearing on behalf of the Respondent, being its legal executive, filing hazira and authorization through email.</p> <p>The Respondent submitted an Affidavit through email (which is not notarized), as per the last direction of the Authority in the order dated 15.01.2024 and stated that the name of the party to whom the subject matter flat has been allotted is Mr. Swapan Roy and Respondent also stated that they are willing to pay Principal Amount of Rs.2,88,000/-only to the Complainant in two instalments in March'2024 and April' 2024.</p> <p>Let the said affidavit of the Respondent be taken on record.</p> <p>The Respondent is directed to submit the hard copy of the said Affidavit duly Notarized to the Authority (in original) serving a copy of the same to the Complainant immediately.</p> <p>Heard both the parties in detail.</p> <p>The Respondent in his Affidavit did not comply the last order of the Authority wherein he was directed to state that to whom the subject matter flat has been allotted, when it has been allotted and whether Allotment letter, Agreement for Sale and registration of the Deed of Conveyance has already been made or not. The Respondent only replied that the said flat has been allotted to one Mr. Swapan Roy and he did not mention any other details as directed by this Authority.</p>	

The Authority took serious exception in this regard and warned the Respondent to refrain from doing this type of violations of the orders of this Authority.

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

Respondent shall submit a Notarized Affidavit stating the following particulars:-

- a) Whether the flat booked by the Complainant has been transferred to any third party?
- b) Whether allotment has been done in this regard? If yes, the date of such allotment.
- c) When was the Agreement for Sale executed with the 3rd party?
- d) Whether the Deed of Conveyance has already been executed with the 3rd party. If yes, date of registration of the Deed of Conveyance.

The Respondent is directed to send the said Affidavit (in original) to the Authority, serving a copy of the same to the Complainant, both in hard and soft copies, within 7 (seven) days from the date of receipt of this order of the Authority through email.

If the Respondent fails to comply the order given above then penalty may be imposed upon him as per the provisions of Real Estate (Regulation and Development) Act, 2016.

Fix **14.03.2024** for further hearing and order.

Sd/-

(SANDIPAN MUKHERJEE)

Chairperson

West Bengal Real Estate Regulatory Authority

Sd/-

(BHOLANATH DAS)

Member

West Bengal Real Estate Regulatory Authority

Sd/-

(TAPAS MUKHOPADHYAY)

Member

West Bengal Real Estate Regulatory Authority

Certified to be true copy

date
19.02.2024

Special Law Officer

West Bengal Real Estate Regulatory Authority