

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/COM000694

Utpal Bhowmick and Priya Bhowmick ..... Complainants

Vs

Priyanti Construction & its Partners .....Respondents

| Sl. Number and date of order | Order and signature of the Authority                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Note of action taken on order |
|------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------|
| 01<br>29.01.2025             | <p>Complainant Utpal Bhowmick (Mobile – 9674929058 and email – ayansinha99@gmail.com) is present in the hearing physically and signed the Attendance Sheet.</p> <p>Advocate Smt. Arunima Das Sharma (Mobile – 7980807146 and email – arunimadassharma4@gmail.com) is present on behalf of the Respondent Promoter and signed the Attendance Sheet. She is directed to submit the vakalatnama immediately to the Authority after today's hearing to the email id (rera.wb@gmail.com).</p> <p>Heard both the parties in detail.</p> <p>Complainant 'Utpal Bhowmick' stated that he has by mistake recorded the name of 'Dishitaa Apartment' as the name of the Complainant at the time of filing online complaint and prayed for necessary correction in this regard.</p> <p>Considered and granted the prayer of the Complainant.</p> <p>Let <b>Mr. Utpal Bhowmick and Priya Bhowmick</b> be recorded as Complainants in place of 'Dishitaa Apartment' in the present Complaint Petition and henceforth in all the communications regarding this matter this correction shall be reflected.</p> <p>As per the Complainants, the fact of the case is that:-</p> <p>They have purchased a flat situated at P-42, Block-B, Lake Town, Kolkata: 700089 vide Flat No: DA1, 1ST Floor from the Respondent-Developer "PRIYANTI CONSTRUCTION" in the project '<b>Dishitaa Apartment</b>' and the deed of conveyance of the said purchase was registered on 27th October 2021. The said Developer did not hand over the Completion Certificate of the Building even after the expiry 2 years of registration of the flat. Apart from procuring the Completion Certificate of the building, the Developer did not complete some of their committed obligations like installation of Intercom Facility in the building, installation of asbestos shed over the open garage on the East Side of the building. The Developer handed over the maintenance responsibility of the building without procuring the Completion Certificate and without completion of certain facilities for the inhabitant of the building. The residents of the building in the interest of themselves took the charge of maintenance and started contributing towards maintenance charges with a clear understanding that the</p> |                               |

maintenance charges of the unsold flats will be borne by the Developer. However, Developer is also not regular in paying the maintenance charges of the unsold flats of the building. The community of the building had written few letters intimating the pending obligations of the developer and got the letter acknowledged by the Developer.

**The Complainants pray before the Authority for the following reliefs:-**

1. To procure the Completion Certificate of the Building situated at P-42, Block-B, Lake Town, Kolkata: 700089 at the earliest. Grounds of this relief as she could not get the flat mutated in his name due to want of Completion Certificate.

2. To clear all Government Dues / Khazana / Land Revenue./ Property Tax, if any, which was outstanding till the date of issuance of Completion Certificate.

3. To installation of Inter-Com facility in the building and erection of asbestos shed over the open garage. Ground of this relief is the Developer is committed to provide for these facilities as per the provisions of the Deed of Conveyance.

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 their total submission regarding this Complaint Petition on a Notarized Affidavit annexing therewith notary attested copy of supporting documents 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 scan copies, within **15 (fifteen)** days from the date of receipt of this order through email.

The Respondent is hereby directed to submit its Written Response on notarized affidavit regarding the Complaint Petition and Affidavit of the Complainant, annexing therewith notary attested copy of supporting documents, if any, and send the 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.

Fix **26.06.2025** for further hearing and order.

  
(BHOLANATH DAS)  
Member

West Bengal Real Estate Regulatory Authority

  
(TAPAS MUKHOPADHYAY)  
Member

West Bengal Real Estate Regulatory Authority