

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/COM000472

Radheshyam Pancharia..... Complainant

Vs.

Malabika Bhoumic..... Respondent

Sl. Number and date of order	Order and signature of Authority	Note of action taken on order
01 <u>23.11.2023</u>	<p>Ms. Moumita Kumar is present in the online hearing on behalf of the Complainant filing hazira &amp; authorization through email.</p> <p>Advocate Shri Subhro Kanti Roy Chowdhury (Mobile- 9831581182) is present in the online hearing on behalf of the Respondent filing hazira and vakalatnama through email.</p> <p>Heard both the parties in detail.</p> <p>The case of the Complainant is that, the allottee i.e. Respondent has allotted a flat being No. 2-15E in the project of <b>'One 10 Phase-II'</b> of the promoter company. On booking she has paid total Rs.9,17,919/-to the promoter company. At the time of hearing that the Complainant stated, the allottee did not registered the Agreement for Sale in spite of repeated communication from the promoter company and did not made any further payments towards the allotment. There was no response from her, the promoter company had issued a termination letter on 16.01.2023 and claimed forfeit the booking amount alongwith accrued interest as earnest deposit towards the allotment.</p> <p>In this Complaint Petition the Complainant prays before the Authority for relief the cancellation of the allotment of the said unit and allowing them to forfeit the booking amount alongwith interest as earnest deposit towards the allotment.</p> <p>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:-</p> <p>The Complainant is directed to submit his total submission regarding his Complaint Petition on a Notarized Affidavit annexing therewith notary attested 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 soft copies,</p>	

within 15 (fifteen) days from the date of receipt of this order through email.

The Respondent i.e. Allottee is hereby directed to submit his Written Response on notarized affidavit regarding the Complaint Petition and Affidavit of the Complainant, annexing therewith notary attested 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 **08.01.2024** for further hearing and order.



(SANDIPAN MUKHERJEE)

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