

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

Complaint No. WBRERA/COM000206

Indranil Basu and Jayita Basu..... Complainants

Vs.

Riverbank Developers Private Limited..... Respondent

Sl. Number and date of order	Order and signature of Authority	Note of action taken on order
01 <u>21.11.2023</u>	<p>Complainant could not join in the online hearing due to internet fault, so he was heard over phone and direction given accordingly.</p> <p>Authorized Representative of the Respondent Shri Bhaskar Mukherjee is present in the online hearing on behalf of the Respondent. He is directed to submit his hazira and authorization to the Authority through email immediately after today's hearing.</p> <p>Heard both the parties in detail.</p> <p>Complainant stated that wife of the Complainant is joint allottee in the present matter and requested to include his wife Ms. Jayita Basu as a Joint Complainant in the present matter.</p> <p>Considered and granted the prayer of the Complainant.</p> <p>As per the Complainants, they had booked a flat bearing no. A at 20th Floor in Tower-2 on December'2018 in the project named as 'Hiland River Phase-II' of the Respondent Company. As per provisional allotment letter dated 1st January, 2019 he had paid total amount of Rs.8,66,025/- to the Respondent Company. In spite of regular follow up since last couple of years there is no development as of now. There is an urgent requirement of funds at the end of the Complainant due to some exigency and they cannot wait for indefinite period to get their money back. The amount paid against the flat need to be refunded along with interest as per RERA Act and Rules.</p> <p>The Complainant prays for the following reliefs before the Authority:-</p> <ol style="list-style-type: none">1. Refund of the amount paid by the Complainant amounting to Rs.8,66,025/-; and2. Interest as per RERA Act and Rules, on the said amount for the period till the refund is made; and3. All incidental expenses for the effort put in for recovery. <p>After hearing the Complainant, the Authority is pleased to admit this matter</p>	

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 Ms. Jayita Basu be included as Joint Complainant in the present matter because she is the Joint Allottee alongwith Indranil Basu in the present matter and henceforth in all the records of this matter her name shall be included as a Joint Complainant.

The Complainant is directed to submit his total submission regarding his Complaint Petition on a Notarized Affidavit annexing therewith notary attested / self 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 soft copies, within **15 (fifteen) days** from the date of receipt of this order of the Authority through email.

Complainants are further directed to send a scan copy of their Affidavit to the Advocate of the Respondent in his email id (adv.anirban1@gmail.com).

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 original affidavit 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 **18.01.2024** 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