

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

Complaint No. WBRERA/COM000449

Anjan Kumar Bagchi. Complainant

Vs

Dharitri Infraventure Private Limited Respondent No. 1

Vicky Singh..... Respondent No.2

Sl. Number and date of order	Order and signature of the Authority	Note of action taken on order
01 13.05.2024	<p>Complainant (Mob. No. 8777714094 & email Id: Bagchinabanita3@gmail.com) is present in the online hearing filling hazira through email.</p> <p>Smt. Sayantani Das (Mob. No.8240745213 & email Id:legalquery@dharitri-infra.com), Legal Executive of the Respondent company, being its Authorized Representative, is present in the online hearing on behalf of the Respondent filing authorization and hazira through email.</p> <p>Heard both the parties in detail.</p> <p>As per the Complainant he has booked a flat in the project named 'Royal Enclave' of the Respondent Company in the year 2017 and paid Rs.8,24,025/-to the Respondent in this regard. After 3 years of receiving his money the Respondent told him that project got cancelled and they suggested him to take another flat from their another project with higher value. They agreed with that time because they don't have other options to get refund of their money back. But after 6 years till date they have not been able to get their flat or get the refund amount.</p> <p>The Complainant prays for the relief before the Authority to refund the entire money paid by him alongwith statutory interest or immediate handover of their flat with all amenities.</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</p>	

Bengal Real Estate (Regulation and Development) Rules, 2021 and give the following directions:-

Let **Dharitri Infraventure Private Limited** be included as **Respondent No. 1** in the present Complaint Petition as it is a necessary party in this matter and **Vicky Singh, Director of Dharitri Infraventure Private Limited** be referred to as Respondent No. 2. Henceforth in all the communications of this matter these inclusions/corrections shall be reflected.

The Complainant is directed to submit his 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.

Complainant is further directed to mention in his Affidavit that whether there is any Joint Allottee(s) in this transaction and if there is any, he shall make a prayer before the Authority in his Affidavit, mentioned above, to include the Joint Allottee(s) as Joint Complainant in this matter.

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.

Inspite of the above directions, both the parties are directed to try for an amicable settlement of the issues between them by mutual discussions and if they arrive at a mutual settlement, they shall submit a **Joint Affidavit**, signed by both, containing the terms and conditions of the mutual settlement, and send it to the Authority before the next date of hearing and in that case there is no need of submitting separate affidavit(s) by Complainant and Respondent, as per the directions given above.

Fix **11.07.2024** for further hearing and order.



(SANDIPAN MUKHERJEE)
Chairperson

West Bengal Real Estate Regulatory Authority



(TAPAS MUKHOPADHYAY)
Member

West Bengal Real Estate Regulatory Authority