

**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/COM-000087

Swapn Patra .....Complainant

Vs.

Riverbank Developers Private Limited .....Respondent

Sl. Number and date of order	Order and signature of Officer	Note of action taken on order
2 ----- 05.07.2023	<p>Complainant is present in the online hearing filing hazira through email.</p> <p>Advocate Anirban Chatterjee is present on behalf of the Respondent in the online hearing filing hazira and vakalatnama through email.</p> <p>Complainant submitted notarized affidavit containing his total submission regarding this Complaint Petition dated 15.05.2023, as per the last order of the Authority dated 04.05.2023, which has been received by this Authority on 19.05.2023.</p> <p>Let the said Affidavit of the Complainant be taken on record.</p> <p>Respondent submitted Written Response on Notarized Affidavit dated 05.07.2023, as per the last order of the Authority dated 04.05.2023, which has been received by this</p>	

Authority on 06.07.2023.

Let the said Affidavit of the Respondent be taken on record.

Heard both the parties in detail.

The case of the Complainant is that, he booked a flat bearing no. 10A2 at tower- 26 with a covered car parking bearing no. K615 in the project named '**Hiland Greens, Phase - 1**' situated at Mahestala, Kolkata 700137 of the Respondent company and he was allotted the flat by allotment no- Hiland Greens/Allotment/AG/13-14/T-26/10A2 dated 01.03.2014.

As per paragraph 11 (a) of the Brochure the possession of the flat was scheduled to be delivered to the Complainant on 01.09.2017 but after expiry of the schedule date of completion, on 18.02.2021 he received the possession of the flat but as per the Complainant the handing over of possession of the flat is not complete and it is a deemed possession due to non registration of the flat, not giving possession of covered car parking and registration thereof and not handing over the copy of C.C / O.C etc to the Complainant till date by the Respondent.

In this Complaint Petition, the Complainant prays for the relief of-

- a. Immediate registration of flat;
- b. Handover of possession of covered car parking and registration thereof.

c. Handover of copy of C.C/O.C.

d. Compensation etc.

The Respondent stated that Completion Certificate has been received from Maheshtala Municipality on 16.05.2022. He also stated that the registration shall be completed in favour of the Complainant within a period of sixty days and some more time is required to give the covered car parking, complete in all respected to the Complainant.

After hearing both the parties the Authority is pleased to give the following orders:-

(a) The Respondent shall complete the registration of the Deed of Conveyance in favour of the Complainant within a period of **60 (sixty)** days from the date of receipt of this order by email; and

(b) The Respondent shall handover possession of the Covered car parking bearing no. K615 booked by the Complainant, complete in all respect, within a period of **90 (ninety)** days from the date of receipt of this order by email; and

(c) The Respondent shall handover copy of C.C and other necessary documents to the Complainant within a period of **60 (sixty)** days from the date of receipt of this order by email; and

(d) Respondent shall pay interest @ SBI PLR+2% per annum on the principal amount paid by the Complainant for the period of delay in giving possession starting from the schedule date of giving possession that is from 01.09.2017 to the actual date of possession given that is till 18.02.2021, within a period of 45 days from the date of receipt of this order by email.

Let copy of this order be sent to both the parties immediately by speed post and also by email.

With the above directions the matter is hereby disposed of.



(SANDIPAN MUKHERJEE)

Chairperson

West Bengal Real Estate Regulatory Authority



(BHOLANATH DAS)

Member

West Bengal Real Estate Regulatory Authority