

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

Complaint No. WBRERA/COM000187

Sushila KhaitanComplainant

Vs

Vedic Projects..... Respondent no.1

Vedic Realty Pvt. Ltd..... Respondent no.2

Sl. Number and date of order	Order and signature of Authority	Note of action taken on order
05 14.03.2024	<p>Advocate Natalina Nahar (Mobile-8902840204, email-advcalcuttaha@gmail.com) is present in the physical hearing on behalf of the Complainant and signed the Attendance Sheet.</p> <p>Advocate Mr. Subhro Kanti Roy Chowdhury (Mobile – 9831581182, email- 2018skandassociates@gmail.com) is present in the physical hearing before the Authority, on behalf of the Respondent and signed the Attendance Sheet.</p> <p>The Director of the Respondent Company Mr. Uday Modi is present in the physical hearing before the Authority.</p> <p>As per the last order of the Authority dated 19.02.2024, the Respondent submitted an Affidavit dated 12.03.2024, stating the reasons for non-submission of the Affidavit within the stipulated timeline as per order dated 15.01.2024, which has been received by this Authority on 12.03.2024.</p> <p>Let the said Affidavit of the Respondent be taken on record.</p> <p>As per the last order of the Authority dated 19.02.2024, the Respondent submitted an Affidavit dated 19.02.2024 regarding the present status of the unit 03-4B of Sanjeeva Orchards Phase – I, which has been received by this Authority through email.</p>	

Let the said Affidavit of the Respondent dated 19.02.2024 be taken on record.

Heard both the parties in detail.

Respondent stated in his Affidavit that due to some urgent work the Respondent was out of station and therefore he could not submit the Affidavit on the earlier date and it was purely unintentional.

The Respondent also stated that the flat booked by the Complainant bearing no. 03-4B has already been sold to one Mr. Gautam Sadhan Bose as the Complainant expressed her inability to pay and demanded the refund of the booking amount vide a letter dated 09.05.2019.

Complainant at the time of hearing categorically denied the statement of the Respondent that the Complainant had expressed her inability to take the flat.

Respondent prayed for a short time to submit a Supplementary Affidavit containing the proof, if any, that the Complainant has expressed her inability to take the flat.

After hearing both the parties, the Authority is hereby pleased to give the following directions:-

- a) Respondent shall submit a Supplementary Notarized Affidavit specifically submitting proof that Complainant expressed her inability to pay and whether she demanded for refund of the booking amount, annexing therewith supporting authenticated documents in this regard, and send the Affidavit (in original) to the Authority, serving a copy of the same to the Complainant, both in hard and scan copies, within **7 days** from the date of receipt of this order of the Authority by email; and
- b) Complainant shall submit a composite Reply / Rejoinder on Notarized Affidavit against the Affidavit and Supplementary Affidavit of the Respondent, annexing therewith authenticated supporting documents, if any, and send the Affidavit (in original) to the Authority, serving a copy of the same to the Respondent, both in hard and scan copies, within **15 days** from the date of receipt of the copy of

Supplementary Affidavit of the Respondent by post or by mail,
whichever is earlier.

On the next date on **27.05.2024**, physical hearing shall be held
at the office of WBRERA Authority, 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