

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

Complaint No. WBRERA/COM001332

Vinod Kumar Jodhani. Complainants.

Vs.

PS Group Reality Private Limited. Respondent.

Sl. Number and date of order	Order and signature of Authority	Note of action taken on order
01 20.08.2025	The Complainant, Vinod Kumar Jodhani is physically present in the instant hearing today. He has filed hazira which should be kept in record. The Respondent, PS Group Reality Private Limited is represented by the Legal Representatives, M Kumar and Taniya Saha, who appeared physically in the instant hearing. They have filed hazira and they are requested to file Authorisation Letter which should be kept in Record. The Complainant submitted that he is the Director of M/s. Quality Chrome Private Limited and on behalf of the said Company he has moved this complaint before this Authority. He stated that his company booked an office space No. 202 in project ABACUS (Project registered under HIRA registration No. HIRA/P/NOR/2018/000011 dated 24/09/2018 by an agreement of Assignment dated 23.03.2023. He mentioned in his complaint that the Promoter sold 2nd floor' Common Terrace/Smoking Area and declared it as 'No Smoking Area' and 'Private Area' which is a clear violation of the rights of all the occupants of this project. The Complainant at the time of hearing submitted that the Respondent/Promoter is collecting Property Tax Deposit of 12 months from all home buyers in violation of the RERA provision. RERA Act and Rules do not have any provision for collection of any 'Deposit towards Property Tax' as Property Tax is always payable to the Govt. Authorities. He stated that Property Tax is payable to the Government authorities by the home buyers after taking possession. So the Respondent/Promoter has no right to collect the Property Tax. The Complainant prayed for refunding the amount of Property Tax of Rs.18,246/-paid by the Complainant to Govt. Authority towards the liability of the Promoter and their deposit amount of Rs.39,150/- towards Property Tax i.e., Total amount of Rs. 57,396/- with applicable interest till the date of Refund. The Legal Representative of the Respondent stated that they have only received the mailed copy of Form 'M' and they sought for the Affidavit with enclosures to be filed by the Complainant for their further course of action.	

After hearing the Complainant, 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:-

The Complainant is directed to submit his total submission regarding their Complaint Petition on a Notarized Affidavit annexing therewith notary attested/self-attested copy of supporting documents and a signed copy of the Complaint Petition in Form 'M' 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 **2 (two) weeks** from the date of receipt of this order of the Authority by email.

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 copy of supporting documents, if any, and send the Affidavit (in original) to the Authority serving a copy of the same to the Complainants, both in hard and scan copies, within **2 (two) weeks** from the date of receipt of the Affidavit of the Complainant either by post or by email whichever is earlier

The next date of hearing is **6 (six) weeks** from date.



(JAYANTA KR. BASU)
Chairperson

West Bengal Real Estate Regulatory Authority



(BHOLANATH DAS)

Member

West Bengal Real Estate Regulatory Authority