

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

Complaint No. WBRERA/COM 001338

Isha Agarwal Complainant

Vs

Bengal Shriram Hi-Tech City Pvt. Ltd Respondent

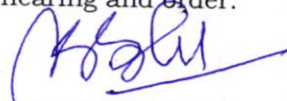
Sl. Number and date of order	Order and signature of the Authority	Note of action taken on order
01 21.08.2025	<p>Complainant is present in the hearing through online mode.</p> <p>Advocate Abhik Kumar Das is present in the hearing physically on behalf of the Respondent filing vakalatnama and signed the Attendance Sheet.</p> <p>Heard both the parties in detail.</p> <p>As per the Complaint Petition, the fact of the case is that, -</p> <p>The Complainant had booked an apartment in the Grand One project on 06.05.2018, as confirmed by the allotment letter for this flat dated 06.05.2018, duly signed by both the allottee and the promoters. According to clause 7.1(b) of the agreement, the scheduled time for handing over the flat was within 48 months from the date of the allotment letter, with an additional grace period of 6 months or by 31st December 2022, whichever is earlier. In his case, the scheduled handover time would have been 05.11.2022. However, he received the possession letter from the builder only on 15.03.2025.</p> <p>For the delay period of 27 months, he requested compensation from the builder as per the tender terms and conditions via email dated 23.04.2025. In response, the builder stated that WBHIRA has extended the project date till September 2026, and therefore, the project is not considered delayed.</p> <p>As per the Complainant, the extension of the project by WBHIRA does not nullify the agreement between the buyer and the seller. The terms of their agreement should still be honoured, and compensation for the delay should be provided as per the original terms.</p> <p>The complainant prays before the Authority for compensation for the delay from the builder's side as per the agreement terms and conditions. Any justification for the delay due to the COVID-19 pandemic is acceptable for a period of 6 to 12 months, but not for a delay of 27 months.</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: -

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.

The Respondent is hereby directed to submit their 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.

Fix **after 4 weeks** for further hearing and order.



(JAYANTA KR. BASU)

Chairperson

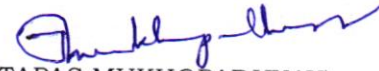
West Bengal Real Estate Regulatory Authority



(BHOLANATH DAS)

Member

West Bengal Real Estate Regulatory Authority



(TAPAS MUKHOPADHYAY)

Member

West Bengal Real Estate Regulatory Authority