

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

Complaint No.WBRERA/COM(PHYSICAL)000033

Chandana Das

..... Complainant

Vs

Dharitri Infraventure Pvt. Ltd.

..... Respondent

Sl. Number and date of order	Order and signature of Officer	Note of action taken on order
1 ----- 09.02.2023	<p>Shri. Samtosh Banerjee is present in the online hearing on behalf of the Complainant as her authorized representative. Let hazira and authorization of Shri. Banerjee be taken on record.</p> <p>Advocate Sayantani Das is present on behalf of the Respondent filing hazira and authorization through email.</p> <p>Heard both the parties in detail.</p> <p>The case of the Complainant is that he booked a 3 BHK flat having an area 900 sq.ft. more or less on 2nd Floor, Block No. -'7', Flat No. A-1, located in Housing Complex known as 'Dharitri Web City' located at Bishnupur in the District of South 24-Parganas from the Respondent Company and paid sum of Rs. 6,00,000/- (Rupees Six lakhs only) as an earnest and advance money out of total consideration money of Rs. 17,70,000/- (Rupees seventeen lakhs seventy thousand only) at the time of execution of Memorandum of Understanding (MoU). The MoU was signed on 28.03.2018 between the parties. Delivery of possession of the flat was scheduled to be held within 42 months from the date of execution of the MoU.</p>	

As per the complainant, the housing project was cancelled for reasons unknown to her and thereafter she claimed for refund of the money of Rs. 6,00,000/- (Rupees six lakhs only) paid by him. On March, 2021 Complainant received an email from the Respondent stating that they will refund Rs. 5,35,714/- (Rupees five lakhs thirty-five thousand seven hundred fourteen only) after deducting the GST amount.

The Complainant prays before the Authority for refund of the amount paid by her along with interest.

The Advocate for the Respondent submitted that they will refund the amount paid by the Complainant but they need sometime and she also proposes for give an alternate flat to the complainant if the Complainant agrees to the proposal.

After hearing both the parties, the Authority is satisfied to admit this matter for further hearing and order and give the following directions:-

The Complainant is directed to submit her total submission in respect of the Complaint Petition on a Notarized Affidavit annexing therewith self-attested photo copies of supporting documents and send the original affidavit to the Authority and both hard and soft copy to the Respondent, within 15 (fifteen) days from the date of receipt of this order by email.

The Respondent is directed to submit in a Notarized Affidavit, their total Written Response to the complaint petition along with stating the specific time period within which they will refund the money paid by the Complainant and also giving the details of the alternative flats which they are offering to the Complainant for inspection and submit the original Affidavit to the Authority and copy to the Complainant, both in hard and soft version, within 15 (fifteen) days from the date of receipt of the Affidavit of the Complainant.

Parties will be at liberty to offer alternative flat, inspection of the same, as the case may be, if they wish so, before the next

date of hearing and send a joint affidavit, signed by both, if they arrive at a settlement.

Fix next date of hearing and order on **14.03.2023** at **12:00** noon.



(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