

**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-000102

Sudip Das .....Complainant

Vs.

DLF Ltd.....Respondent

| Sl. Number<br>and date of<br>order | Order and signature of Officer   | Note of<br>action<br>taken on<br>order |
|------------------------------------|--|--|
| 1<br>-----<br>29.05.2023           | <p>Complainant is present in the online hearing filing Hazira through email.</p> <p>Advocate Shib Sankar Biswas is present on behalf of the Respondent company, being its Law Officer, in the online hearing filing hazira through email.</p> <p>Heard both the parties in detail.</p> <p>Complainant submitted that he purchased a flat in a project of the Respondent company in end 2014. He got possession of the flat but could not used it for next 5 years that is till December 2019 due to poor workman ship and issues related to that. He alleged that till date he has spent a good amount due to all the troubles he faced with and he has lost rents etc.</p> <p>Now he claims before the Authority for payment of Compensation for the harassment and losses which he have faced due to the poor workman ship and constructional defects in the flat and outside thereto.</p> |  |

After hearing the Complainant the Authority is of the view that the matter of adjudication of Compensation is not within the Jurisdiction of this Authority. For the purpose of Adjudging compensation, an Adjudicating Officer shall be appointed by this Authority as per Section 71 of the Real Estate (Regulation and Development) Act, 2016 and Rule 37 of the West Bengal Real Estate (Regulation and Development) Rules, 2021.

Therefore in the above circumstances, this matter is hereby not admitted and dismissed on the ground that the relief prayed by the Complainant is not within the jurisdiction of this Authority.

At present Complainant is at liberty to file an Application to Adjudicating Officer as per FORM 'N' as per the provisions of Section 71 of the Real Estate (Regulation and Development) Act, 2016 and Rule 37 of the West Bengal Real Estate (Regulation and Development) Rules, 2021. After appointment of the Adjudicating Officer, he shall hear and dispose of this matter.

With the above direction the matter is hereby Dismissed.

sd/-

(SANDIPAN MUKHERJEE)

Chairperson

West Bengal Real Estate Regulatory Authority

sd/-

(BHOLANATH DAS)

Member

West Bengal Real Estate Regulatory Authority

sd/-

(TAPAS MUKHOPADHYAY)

Member

West Bengal Real Estate Regulatory Authority

certified to be true copy.

date 29.05.2023

Special Law Officer

West Bengal Real Estate Regulatory Authority