

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

Complaint No. WBRERA/COM0001023

Swarup Mukherjee Complainant

Vs

Tata Housing Development Company Limited..... Respondent

Sl. Number and date of order	Order and signature of the Authority	Note of action taken on order
02 21.04.2025	Complainant is present in the hearing physically and signed the Attendance Sheet. Advocate Shruti Swaika (Email – shrutiswaika.adv@gmail.com) is present in the hearing physically and signed the Attendance Sheet. Complainant submitted Notarized Affidavit dated 14.02.2025, containing his full submission regarding this Complaint Petition, as per the last order of the Authority dated 11.02.2025, which has been received by this Authority on 17.02.2025. Let the said Affidavit of the Complainant be taken on record. Respondent submitted Written Response on Notarized Affidavit dated 28.02.2025, to the Affidavit and Complaint Petition of the Complainant, as per the last order of the Authority dated 11.02.2025, which has been received by this Authority on 06.03.2025. Let the said Affidavit of the Respondent be taken on record. Complainant also submitted a Rejoinder but as the said Rejoinder is not supported by any Notarized Affidavit, therefore, the said Rejoinder cannot be taken on record. Heard both the parties in detail. Complainant stated at the time of hearing that AC units are being installed in the roof of the adjacent building just beside his flat in violation of	

sanctioned plan and therefore he prayed for proper inspection of the same and an interim order of stay upon the installation of further AC units in violation of sanctioned plan.

Advocate of the Respondent stated that all the AC units have been installed as per the sanctioned plan and as per the Rules and norms in this regard and made objection against issuance of any interim order in this regard.

The Authority is of the considered opinion that without a proper inspection done by any Competent Authority no stay order should be given keeping in view of the balance of convenience and inconvenience of the parties.

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

- a) The Chairman, NKDA shall take necessary steps for **Inspection** of the matter by any competent person / officer of NKDA Department that whether AC units are being installed in the Roof of the Commercial Tower / Retail Rooftop in the project named '**Avenida**' situated at **Plot no. IIG/7, in Block - IIG, within the limits of Action Area - II of Newtown, Kolkata, P.S. - Rajarhat, District - North 24 Parganas, West Bengal, PIN - 700156** of the Promoter Company named **Tata Housing Development Company Limited (THDCL)**, in violation of the sanctioned plan.
- b) The **Inspection** of the same shall be made in presence of both the parties of this Complaint Petition.
- c) This inspection shall be done within **15 days** from the date of receipt of this order of the Authority through email.

Fix **26.05.2025** for further hearing and order.



(BHOLANATH DAS)

Member

West Bengal Real Estate Regulatory Authority