

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

Complaint No. WBRERA/COM000205

Tania Dey..... Complainant

Vs.

Vedic Realty Private Limited..... Respondent No. 1

Mr. Uday Modi..... Respondent No.2

Mr. Raj Kishore ModiRespondent No. 3.

Sl. Number and date of order	Order and signature of Authority	Note of action taken on order
01 21.11.2023	<p>Complainant is present in the online hearing filing hazira through email.</p> <p>Advocate Ritaja Mukherjee (Mob. No. 9038134542 & email Id-ritaja.mukherjee29@gmail.com) is present in the online hearing on behalf of the Respondent filing hazira and vakalatnama through email.</p> <p>Heard both the parties in detail.</p> <p>The case of the Complainant is that, she has booked an apartment Bearing No. C3 at 3rd Floor, Block IG-12 in the housing enclave named as 'IVY GREENS II' of the Company named as Vedic Realty Pvt. Ltd., of which Mr. Uday Modi and Mr. Raj Kishore Modi, present Respondents are the Directors. The Agreement for Sale was executed between the Complainant and the M/s. Vedic Realty Pvt. Ltd. on 29th July, 2016. She has paid total Rs.7,50,000/-to the Respondent Company. As per the Agreement for Sale the scheduled time for handover of the apartment was fixed at 36 months from the date of Agreement with a grace period of 6 months. After lapse of six years and nine month from the date of agreement, till date the Respondents have not delivered the possession of the apartment.</p> <p>In this Complaint Petition the Complainant prays for the relief for withdrawing from the project and refund of the entire amount paid to the developer i.e. M/s. Vedic Realty Private Limited alongwith interest as per the RERA Act and Rules made thereunder.</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 Bengal Real Estate (Regulation and Development) Rules, 2021 and give the following directions:-

Let **Vedic Realty Pvt. Ltd.** be included as Respondent No. 1 in the present Complaint Petition because Agreement for Sale was signed between the Complainant and Vedic Realty Pvt. Ltd and therefore it is a necessary party in this matter and Mr. Uday Modi shall be referred to as Respondent No. 2 and Mr. Raj Kishore Modi shall be referred to as Respondent No. 3 henceforth in this matter.

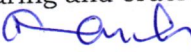
The Complainant is directed to submit his total submission regarding his Complaint Petition on a Notarized Affidavit annexing therewith notary attested supporting documents and a signed copy of the Complaint Petition and send the original Affidavit to the Authority serving a copy of the same to the Respondent, both in hard and soft copies, within 10 (ten) days from the date of receipt of this order through email.

The Complainant is also directed to make a prayer in her affidavit to include her husband, who is a joint allottee in the subject matter flat, as a joint Complainant in this matter.


The Complainant is further directed to send a scan copy of her Affidavit to the email Id of Advocate of the Respondent which is given above.

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 supporting documents, if any, and send the original to the Authority serving a copy of the same to the Complainant, both in hard and soft copies, within 10 (ten) days from the date of receipt of the Affidavit of the Complainant either by post or by email whichever is earlier.

Fix **11.01.2024** for further hearing and order.


(SANDIPAN MUKHERJEE)
Chairperson

West Bengal Real Estate Regulatory Authority


(TAPAS MUKHOPADHAY)
Member

West Bengal Real Estate Regulatory Authority