

**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-000040

Bharati Das

.....Complainant

Vs

Maa Batai Construction

.....Respondent

Sl. Number and date of order	Order and signature of Officer	Note of action taken on order
2 ----- 26.04.2023	<p>Complainant is present in the online hearing filing hazira.</p> <p>Advocate Debasis Chattopadhyay is present on behalf of the Respondent (Sushil Kr. Sharma, Proprietor of the Respondent Company) filing hazira and authorization through email.</p> <p>The Complainant submitted on a notarized letter received by the Authority, on 24.03.2023 praying for inclusion of the name of Shri. Asis Das as the Joint Complainant in the Complaint Petition and inclusion of the name of the Promoter Company M/s. Maa Batai Construction as a Respondent in the present Complaint Petition.</p> <p>The Complainant did not submit the prayer on a Notarized Affidavit. She is directed to submit the prayer on a Notarized Affidavit to the Authority, serving a copy of the same to the Respondent, both in hard and soft copies, within 7 (Seven) days from the date of receipt of this Order of the Authority by email.</p> <p>The Complainant also submitted their written submission but this is also not a notarized affidavit. She is directed again to submit her written</p>	

submission on a Notarized Affidavit, serving a copy of the same to the Respondent, both in hard and soft copies, within 7 (Seven) days from the date of receipt of this Order of the Authority through email.

As the prayer of the Complainant regarding inclusion of their names are not on a Notarized Affidavit and also the Written submission of the Complainant has not been submitted on Notarized Affidavit, this documents cannot be taken on record at present.

The Respondent submitted on Notarized Affidavit containing their total written submission annexing therewith notarized copy of all supporting documents as per the last Order of the Authority dated 14.03.2023 and it was received on 20.04.2023.

Let the Written Response of the Respondent as mentioned above be taken on record.

Heard both the parties.

The Respondent submitted at the time of hearing that they had missed to insert the date at first line of the page no.5 of the Written Response.

He is directed to insert the required information as pointed out by him at the time of hearing and submit the same on a Notarized Supplementary Affidavit and send the original affidavit to the Authority, serving a copy of the same to the Complainant, both in hard and soft copies, within 7 (seven) days from the receipt of this order of the Authority by email.

Respondent is further directed to give explanation regarding the following in his supplementary affidavit as directed above :-

- a. Why the Agreement for Sale executed between the parties is not registered?
- b. Why the payment schedule in the Agreement for Sale is blank?
- c. By which provision of law and / or by which clause of Agreement for Sale the Respondent cancelled the Agreement for Sale with the Complainant and sold and / or transferred the said flat to a third party ?

Complainant is hereby directed to submit a Reply/Rejoinder against the Written Response of the Respondent giving point-wise reply of the same on a Notarized Affidavit and send the original affidavit to the Authority, serving a copy of the same to the Respondent, both in hard and soft copies, within 15 days from the date of receipt of this order of the Authority by email.

Fix **08.06.2023** for further hearing and order.



**(SANDIPAN MUKHERJEE)**

Chairperson

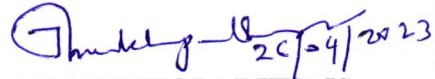
West Bengal Real Estate Regulatory Authority



**(BHOLANATH DAS)**

Member

West Bengal Real Estate regulatory Authority



**(TAPAS MUKHOPADHYAY)**

Member

West Bengal Real Estate Regulatory Authority