

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

Complaint No.WBRERA/COM-000103

Bishal Barnwal Complainant

Vs.

Rajwada Developers..... Respondent

Sl. Number and date of order	Order and signature of Officer	Note of action taken on order
01 24.05.2023	<p>Complainant is present in the online hearing filing hazira through email.</p> <p>Advocate Sunny Shaw is present on behalf of the Respondent in the online hearing filing hazira and Vakalatnama through email.</p> <p>Heard both parties in detail.</p> <p>As per the Complainant a Sale Agreement was executed between the Complainant and the Respondent Company for Sale of a flat bearing No. 6B in the project named 'Rajwada Altitude Block-1' of the Respondent Company. The Respondent has not given the possession of the flat to the Complainant till date and Registration is also on hold. The Respondent has demanded an interest of Rs.7,87,000/- (Rupees seven lakh eighty-seven thousand) only for delay in execution of Sale Agreement which is not justifiable as per the Complainant and the same was never communicated to him before the execution of Sale Agreement and such demand is not valid without any clause in the Agreement for Sale in this regard.</p> <p>The Complainant prays for the relief of immediate possession of the flat and Registration and payment of interest @10.65% for the delay in delivery of possession.</p> <p>After hearing both the parties, the Authority is satisfied to admit this matter for further hearing and order.</p> <p>The Complainant is directed to submit his total submission regarding his Complaint Petition on a Notarized Affidavit</p>	

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 21 days from the date of receipt of this order through email.

The Respondent is directed to submit his Written Response regarding the Complaint Petition and Affidavit of the Complainant on a Notarized Affidavit 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 21 days from the date of receipt of the Affidavit of the Complainant either by post or by email whichever is earlier.

The Respondent is further directed to specifically mention the name of the project with HIRA Registration No., if any, and also mention the specific clause or provision, if any, in the Agreement for Sale by which he is claiming interest for delay in execution of Agreement for Sale after booking being done by the Complainant. He is also directed to enclose with his affidavit the C.C/O.C of the said project and email dated 31.10.2021, 09.03.2022 and 31.01.2023 sent by the Respondent to the Complainant as stated by the Advocate of the Respondent at the time of hearing.

Fix 18.07.2023 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