

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

Complaint No. WBRERA/COM001391

Sumana Ghosh..... Complainant.

Vs.

Magnolia Infrastructure Development Ltd. .... Respondent.

Sl. Number and date of order	Order and signature of Authority	Note of action taken on order
01 21.07.2025	<p>The Complainant, Sumana Ghosh appeared online at the time of hearing of the instant Complaint. She is directed to submit hazira online which should be kept in record.</p> <p>The Respondent, Magnolia Infrastructure Development Ltd is represented by the Mr Gopal Krishna Lodha, Authorized representative who appeared physical at the time of hearing and filed his Hazira and Authorization letter from the respondent which will be kept in record.</p> <p>Today is the admission hearing of the instant Complaint filed by the complainant on 29th May, 2025 before this Authority.</p> <p>The Complainant submitted that she booked Flat no 1/ c at block 3 measuring 742 square feet at Magnolia Sport City and covered parking space measuring 135 square feet. The developer has made an agreement for sale on 11<sup>th</sup> August 2017 and as per the said agreement the developer to give possession of six numbers of block (1,2,3,4,5,6) within a period of three years from the date of commencement of the construction provided that developer shall be entitled to an extension of six months on account of unforeseen cause as mentioned in the agreement. As per the sanction plan the date of commencement of the construction was 26<sup>th</sup> July 2017. The developer made a deed of conveyance on 27<sup>th</sup> may 2023 and the complainant got possession of the flat on 30<sup>th</sup> may 2023 without cover car park space and other amenities/ facilities as promised by the respondent. She sought following relief from the respondent and accordingly placed it before the Authority that she wants payment for delayed possession of her flat, she seek compensation for non handover of the covered car parking as committed by respondent in the agreement for sale and compensation on account of mental and harassmet/agony.</p> <p>The authorized representative for the respondent submitted the possession of the flat has been given as per the commitment made by his client in</p>	ER

the agreement for sale and as per the completion date provided in the registration certificate issued from erstwhile WBHIRA. He also submitted that within 15 days a covered car park shall be provided to the complainant .Regarding providing amenities/ facilities as committed by his client to the complainant he explained that this particular project is a township project and different activities are being developed in a phase wise manner. Further he submitted that upon receipt of the written statement with supporting documents from the complainant he will respond before the Authority filing his statement as mandated by the RERA Act 2016 .

After hearing the Complainant, 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:-

The Complainant is directed to submit her total submission regarding their Complaint Petition on a Notarized Affidavit annexing therewith notary attested/self-attested copy of supporting documents and a signed copy of the Complaint Petition in Form 'M' and send the Affidavit (in original) to the Authority serving a copy of the same to the Respondent, both in hard and scan copies, within **7 (seven) days** from the date of receipt of this order of the Authority by email. For seeking compensation on account of mental and harassment/agonny she may file her grievances in form N before Adjudicating officer.

The Respondent is hereby directed to submit their Written Response on notarized affidavit regarding the Complaint Petition and Affidavit of the Complainant, annexing therewith notary attested/self-attested copy of supporting documents, if any, and send the Affidavit (in original) to the Authority serving a copy of the same to the Complainant, both in hard and scan copies, within **2 (two) weeks** from the date of receipt of the Affidavit of the Complainant either by post or by email whichever is earlier. The Respondent to enclose the registration certificate issued by the erstwhile WBHIRA/WBRERA in respect of this project and photographs of the instant flat and the project both inside and outside along with their affidavit.

Fix **4 (four) weeks** for further hearing and order.



(JAYANTA KR. BASU)  
Chairperson

West Bengal Real Estate Regulatory Authority