

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

Complaint No. WBRERA/COM001370

Dipti Ranjan Swain Complainant

Vs.

Dharitri Infraventure Pvt. Ltd. Respondent

Sl. Number and date of order	Order and signature of Authority	Note of action taken on order
01 10.07.2025	The Complainant, Dipti Ranjan Swain appeared online at the time of hearing of instant by filing hazira, which should be kept in record. The Respondent, is represented by Dharitri Infraventure Pvt. Ltd is represented by the Legal Representative, Sayantani Das who appeared physically the time of instant hearing. She has submitted hazira and Authorization letter which should be kept in record. Today is the Admission hearing. The Complainant stat4ed that he booked a 1 BHK flat from the Respondent on 27th February, 2020 measuring 450 Sq. ft in the project "Royal Enclave" for a total consideration of the flat being Rs.12,00,000/-. The delivery date of the said Flat was 31.12.2021. The Respondent changed the hand over date to 31.12.2022. After 31st December, 2022 the Respondent again told that after six months they will hand over the said flat by end of June, 2023. The Complainant visited to the office of the Respondent then he was informed that the construction of the said flat has not yet been started. The complainant requested the Respondent to either hand over the flat or refund the money of Rs.8,00,000/- along with interest. The Complainant moved before the Consumer Forum when an Order was given directing the Respondent to hand over the flat by March, 2025 and default they will refund money along with interest. After one year in March, 2025 the Respondent stated that the project has not yet been started so they will refund money in 6 to 9 installments after deducting GST and other professional taxes. But now the Respondent is not ready to refund the entire amount in one installment along with interest. The Complainant prayed for refund of principal amount being Rs.8,00,000/- along with interest at the rate of State Bank of India Prime Lending rate plus 2% per annum till the realization of full refund from the date of each payment along with interest and compensation. The Legal Representative appearing on behalf of the Respondent submitted that now she is unable to plead anymore as he has not been delivered all the records from the Respondent and after having Affidavit from the	

Complainant she will make her submission.

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:-

The Complainant is directed to submit his total submission regarding the Complaint Petition on a Notarized Affidavit mentioning details of complaint and the reliefs sought for annexing therewith notary attested /self-attested copy of supporting documents and a signed copy of the Complaint Petition 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 **2 (two) weeks** from the date of receipt of this order of the Authority by email.

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/self-attested copy of supporting documents and the registration certificate issued from erstwhile WBHIRA/WBRERA upon respondent as applicant submitting the Project related application before this Authority 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.

Fix **8 (eight) weeks** for further hearing and order.



(JAYANTA KR. BASU)
Chairperson

West Bengal Real Estate Regulatory Authority