

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

Complaint No.WBRERA/COM001405

Siddhartha Gautam..... Complainant

Vs.

Siddha Real Estate Development Private Limited..... Respondent

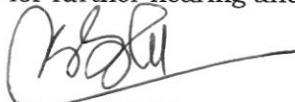
Sl. Number and date of order	Order and signature of the Authority	Note of action taken on order
01 24.07.2025	Complainant is present in the hearing physically filing hajira. Respondent is represented by Mr Gopal Krishna Lodha who has submitted his hajira and authorization letter from the respondent. The complainant submitted that he applied for a flat in Siddha Eden Lakeville at Bonhooghly, Kolkata 700108 and given application fees on 28th July 2024.However developer/ Builder was supposed to send him an allocation letter with delivery timeline but they sent only allocation letter and final price and payment timelines on 31st July 2024. The complainant approached the respondent on 1st August 2024 and stated that without delivery schedule which the respondent did not mention he cannot accept the payment schedule. After receiving no reply on delivery timeline the complainant withdraw his application over mail on 5th August 2024 and sought refund of his booking amount of rupees 2,00,000 paid to the respondent by cheque. The complainant seeks relief from the Authority for the respondent for refund of the application booking amount paid by the complainant and received by the respondent. The authorised representative for the respondent stated that the instant complaint filed by the complainant and been heard today is not maintainable under section 31 of RERA act 2016 for the complainant is not defined as an allottee by the said Act. Further he submitted that his client is ready to refund the application amount after deduction of the GST taxes and 10% from the application payment received from the complainant. The complainant stated that he has received an allotment letter from the respondent. 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 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 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 **1 (one) week** from the date of receipt of this order of the Authority by email.

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 **1 (one) week** 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 enclose self attested Registration Certificate from erstwhile WBHIRA/WBRERA.

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



(JAYANTA KR. BASU)
Chairperson

West Bengal Real Estate Regulatory Authority