

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

Complaint No. WBRERA/COM001731

1. Susmita Ghosh,  
2. Malay Ghosh .... Complainants.

Vs.

1. M/s. Maa Santoshi Udyog,  
2. Smt. Paramita Sen,  
3. Shri Pradip Sen. .... Respondents.

Sl. Number and date of order	Order and signature of Authority	Note of action taken on order
01 07.01.2026	<p>The Complainants, Susmita Ghosh and Malay Ghosh, represented by Malay Ghosh, who appeared physically by signing hazira and their Learned Advocate, Rupoma Bhattacharjee (Phone No. 862088666) appeared online at the time of hearing by filing hazira and Vakalatnama online, which shall be kept in record.</p> <p>The Respondents, M/s. Maa Santoshi Udyog, Smt. Paramita Sen and Shri Pradip Sen, represented by their Learned Advocate, Santanu Paul and Authorized Representative, Prabir Kumar Ghosh, who appeared physically at the time of hearing by filing hazira and Vakalatnama and Authorization Letter, which shall be kept in record.</p> <p>The Complainant stated he along with his wife, Smt. Paramita Sen booked a flat measuring 1640 sq. ft in the 2<sup>nd</sup> floor along with a garage measuring 160 sq. ft. in the ground floor of Kalpataru Apartment and entered into an Agreement for Sale dated 09.02.2019. As per the Agreement for Sale the due date for handing over keys of the flat and garage, complete in all respect was fixed on March, 2020 but the possession of the flat and the garage were given on 16.10.2020 after registration of the Deed of Conveyance but the flat and the garage were not ready for use and the matter was brought to the notice of the Respondent. He stated that due to incomplete flat they had to stay in a rental flat for which he had to pay Rs.63,000/-. He also stated that the quality of doors, washroom fitting, one commode and the accessories of doors were inferior and the main door, the sliding door, one basin were not provided as per the Agreement for Sale and having no other alternative the Complainant made all the work by his own cost and the Respondent has not paid the same as reimbursement. He also stated that within one year of possession of the flat, the external walls of the washrooms and adjacent inner walls of the rooms got damped. The Respondent made sum patch work after possession which did not yield any result and the condition of the walls worsened day by day which have not been taken care by the</p>	

Respondent till date. The C.C. of the Flat has been obtained in 18<sup>th</sup> March, 2020.

The Complainant prayed for the following reliefs :-

- i) Completion of the pending works of the garage and flat.
- ii) Making good of the damp walls of both the washroom's along with adjacent walls of the rooms of the flat;
- iii) Proper finishing of the floor of the duct.
- iv) Re-fixing of tiles covering the external walls of lift with tiles;
- v) The Association of owners of flats are to be formed.
- vi) Reimbursement of house rent that the Complainants have paid due to delayed possession of flat amounting to Rf.49,000/- with bank interest.

The Learned Advocate appearing for the Respondent stated that there a process of amicable settlement is going on and he also admitted that the project is not registered under erstwhile WBHIRA or WBRERA as the project has been completed long back.

After hearing both the parties, the Authority is pleased give the following directions:-

The Complainants are directed to submit his total submission regarding the Complaint Petition on a Notarized Affidavit annexing therewith notary attested /self-attested 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 Respondents, both in hard and soft copies within **2 (two) weeks** from the date of receipt of this order of the Authority by email.

The Respondents are hereby directed to submit their Written Responses on notarized affidavit regarding the Complaint Petition and Affidavit of the Complainants, annexing therewith notary attested/self-attested 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 soft 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 next date of hearing is **6 (six) weeks** from date.



(JAYANTA KR. BASU)  
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