

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

Complaint No. WBRERA/COM 001188

Chandan Roy and Susmita Roy Complainant

Vs

BRL Estate LLP Respondent

Sl. Number and date of order	Order and signature of the Authority	Note of action taken on order
04 05.03.2026	<p>Complainants are present in today's hearing physically and signed the attendance sheet.</p> <p>Mr. Subhasis Das, Marketing Manager and Authorized Representative of the Respondent Promoter Company, is present in today's hearing physically and signed the attendance sheet.</p> <p>Heard both the parties in detail.</p> <p>The Respondent stated that the completion certificate is expected to be received by them very shortly on making payment of the requisite fees to the Bidhannagar Municipality as per instruction given by Municipality through portal on 17.02.2026.</p> <p>The Respondent again stated that there is outstanding amount of Rs. 27,00,000/- to be received from the Complainant due to which they are also eligible to get interest from the Complainant. But the Complainant submitted that no demand notice for such outstanding amounts of Rs. 27,00,000/- was ever served upon them by the Respondent. He also mentioned that as per Clause 2 of the Agreement for Sale, no further payment obligation arises until possession is delivered. In spite of that they paid Rs. 6,57,995/- on 14.06.2022 and 11,00,000/- on 27.06.2022 after the scheduled delivery date.</p> <p>The Complainant again prayed before the Authority for handing over possession by the Respondent including registration of Deed of Conveyance along with interest due to delay in possession and compensation.</p> <p>After hearing both the parties, the Authority observes that the Respondent was to handover the possession of the Flat to the Complainant within 31.12.2021 as per provision of Agreement for Sale. However, an extension for 9 months was granted by erstwhile WBHIRA due to Covid-19 thereby, allowing to complete the project within 30.09.2022. But, as on date the Respondent is yet to receive the Completion Certificate/ Occupation Certificate of the Project and failed miserably to handover the possession of the Flat booked by the Complainant in spite of paying a total amount of Rs. 59,15,995/- in stage wise manner on regular basis and as</p>	

such, the Respondent is liable to pay the Complainant interest at the rate SBI PLR plus 2% on the amount of Rs. 59,15,995/- invested by the Complainant for the period from 01.10.2022 till the date of handing over of the possession of the Flat as per the provision of section 18 of Real Estate (Regulation and Development) Act, 2016.

Now, the Authority is hereby pleased to give the following directions:-

- A. The Respondent shall arrange for obtaining Completion Certificate/ Occupation Certificate from the Plan Sanctioning Authority and handover the possession of the Flat to the Complainant on payment of the remaining principal amount by the Complainant after adjustment of interest due to delay in handing over the possession which is payable to the complainant by the Respondent at the rate of SBI PLR plus 2% on the invested amount of Rs. 59,15,995/- for the period starting from 01.10.2022 till the date of handing over the possession and will execute the Deed of conveyance accordingly with the Complainant.
- B. The Complainant is also directed to pay the outstanding amount to the Respondent after adjustment of delay interest eligible to be received by him and take necessary arrangement for registration of Conveyance Deed.

With this the instant complaint matter is hereby disposed of.

Let copy of this matter be served to both the parties immediately.

(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