

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

Complaint No. WBRERA/COM000791

Pradip Ranjan Biswas..... Complainant

Vs

SG Computech Limited... Respondent

Sl. Number and date of order	Order and signature of the Authority	Note of action taken on order
01 02.07.2024	<p>Advocate Mr. Abhijit Mazumder (Mob. No. 8777279350 & email Id: abhijitumazumderadvocate@gmail.com) is present in the physical hearing filing vakalatnama and signed the Attendance Sheet.</p> <p>Advocate Ms. Laxmi Biswas (Mob. No.9818665867 & email Id: laxmi.biswas@simoco.net) being the Legal Executive of the Respondent Company is present in the physical hearing and signed the Attendance Sheet.</p> <p>Heard both the parties in detail.</p> <p>As per the Complaint Petition:-</p> <p>With an honest intent to ensure a better placed of living at the old age, the Complainants were in search of a decent apartment at North 24 Parganas. Sometimes in the year of 2018, during the course of our search for an apartment, they came to know about the project of the Respondents named 'Sanhita'. Accordingly, the complainants got in touch with the Respondents expressing their desire to purchase an apartment in the project namely, 'SANHITA' contacted the Respondents. On 30th October 2018, the complainant entered into an agreement with the Respondents to buy the said flat being no. 4A on the 4th floor, Block – 2B1 under 'Precinct-07' having standard built up area of 734 sq.ft. at 'SANHITA' for a total consideration of Rs.16,47,545/-. In the month of November 2018, they received an allotment letter vide Application No. 788299 in favour of the Complainants towards purchasing of the said flat on 30.10.2018. Till date the complainants had made payment of the following amount towards purchase of the said flat –</p> <ol style="list-style-type: none">1. Ch. No. 227556 SBI dt. 11.10.2018 Rs. 1,81,832/-2. Ch. No. 045270 SBI dt. 23.11.2018 Rs. 12,42,240/-3. Ch. No. 227559 SBI dt. 23.11.2018 Rs. <u>3,00,000/-</u>	

Total Rs. 17,24,072/-

Thereafter an application for allotment of 4 wheelers car parking space was presented before the respondents and the same has been duly acknowledged. The Complainants made the following payments as part consideration amount of four wheeler parking space.

1. Ch. No. 045273 SBI dt. 26.03.2019 Rs. 50,000/-
 2. Online payment ITV0291566SBI dt. 27.03.2019 Rs. 71,000/-
 3. Online payment ITV0292236SBI dt. 27.03.2019 Rs. 47,000/-
- Total Rs. 1,68,000/-

Thereafter, they had visited several times at the registered office of the respondents for enquiring about the progress of construction work but unfortunately, in spite of several visit, they have never been able to understand that actual state of construction work. Moreover, the representatives always gave vague commitment that the flat/apartment will be handed over within time but never mentioned the exact date/time when they would be in position to hand over possession of the said flat/apartment at the project, namely, "SANHITA".

The Complainant prays relief before the Authority in the followings:

- i. To direct the Respondents to refund of Rs.18,92,072/-towards purchase of flat alongwith car parking space;
- ii. To pay simple bank interest on the above mentioned amount of Rs.18,92,072/-paid by the complainant from the date of payment;
- iii. And to pass further order or orders as the Authority may deem fit and proper.

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 their 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 **15 (fifteen)** days from the date of receipt of this order of the Authority by email.

The **Complainant** is hereby further directed to send a scan copy of his Affidavit alongwith annexure to the email id of the Advocate, as mentioned above.

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, 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 **15 (fifteen)** days from the date of receipt of the Affidavit of the Complainant either by post or by email whichever is earlier.

Fix **12.09.2024** for further hearing and order.


(BHOLANATH DAS)

Member

West Bengal Real Estate Regulatory Authority


(TAPAS MUKHOPADHYAY)

Member

West Bengal Real Estate Regulatory Authority