

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

Complaint No. WBRERA/COM000341

Premlata Sethia..... Complainant

Vs

Greenfield City Project LLP.....Respondent

Sl. Number and date of order	Order and signature of Authority	Note of action taken on order
01 24.01.2024	<p>Daughter of the Complainant Smt. Kirty Sethia, as Authorized Representative of the Complainant, is present in the online hearing filing hazira and authorization through email.</p> <p>Chartered Accountant Mr. Amit Kumar Kedia (email id – ca.amitvkedia@gmail.com, Mobile – 9414046121) being Authorized Representative of the Respondent Company is present in the online hearing on behalf of the Respondent filing hazira and vakalatnama through email.</p> <p>Heard both the parties in detail.</p> <p>Smt. Kirty Sethia stated at the time of hearing that by an inadvertent mistake she has file the instant Complaint Petition but actually her mother Smt. Premlata Sethia is the owner / allottee of the subject matter flat after the death of his father and therefore she requested for necessary correction in this regard.</p> <p>Considered and granted the prayer of Smt. Kirty Sethia.</p> <p>As per the Complainant, the Respondent has Levied maintenance charges before the actual possession and handingover of the keys of the flat.</p> <p>In this Complaint Petition, the Complainant pray before the Authority for the following reliefs:-</p> <p>a) Waive-off the unduly charged maintenance charges and give the actual possession of the flat along with the keys of the flat.</p>	

b) Demand for compensation with interest for the delay as charged upon by 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:-

Let Smt. Premlata Sethia be substituted as the Complainant in place of her daughter Smt. Kirty Sethia, as Smt. Kirty Sethia requested to make the said correction in this regard at the time of hearing, as she has by inadvertent mistake filed this Complaint in place of her mother. Smt. Premlata Sethia is the actual allottee of the subject matter flat after the death of her husband. Henceforth in all the Communications regarding this Complaint Petition this correction shall be reflected.

Complainant is directed to either appear in person or through Advocate / Chartered Accountant, before the Authority on the next date of online hearing. Her daughter Smt. Kirty Sethia or any other relative may assist her but they cannot represent her in the hearing in absence of the Complainant, as per provision of section 56 of the Real Estate (Regulation and Development) Act, 2016.

The Complainant is directed to submit her total submission regarding his Complaint Petition on a Notarized Affidavit, giving therein in a tabular form all the payments made by the Complainant chronologically specifying date and amount of payment, annexing therewith notary attested /self-attested 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 soft copies, within **15 (fifteen)** days from the date of receipt of this order through email.

The Complainant is further directed to send a scan copy of the Affidavit with annexure to the Authorized Representative of the Respondent in his above mentioned email Id.

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

Inspite of the above directions, both the parties are at liberty to mutually settle the issues between them by amicable discussions and if they arrive at a mutual settlement, they shall submit a Joint Notarized Affidavit signed by both to the Authority, containing the terms and conditions of the mutual settlement and send the Affidavit (in original) to the Authority, before the next date of hearing and Respondent shall take initiative in this regard.

Fix **22.05.2024** for further hearing and order.



(SANDIPAN MUKHERJEE)

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