

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

Complaint No. WBRERA/COM000165

Shova Ghosh Complainant

Vs

Bengal Shapoorji Housing Development Pvt. Ltd..... Respondent

Sl. Number and date of order	Order and signature of Authority	Note of action taken on order
04 21.12.2023	<p>Brother of the Complainant Mr. Nabendu Ghosh is present in the online hearing.</p> <p>Mr. Shourya Sinha, being Authorized Representative of the Respondent Company, is present in the online hearing on behalf of the Respondent, filing hazira and authorization through email.</p> <p>Complainant submitted a Notarized Affidavit dated 11.12.2023, containing her total submission regarding this Complaint Petition, as per the orders of the Authority dated 26.09.2023 and 09.11.2023, which has been received by this Authority on 14.12.2023.</p> <p>Complainant has made an Application which is annexed with the Affidavit dated 11.12.2023, praying for permission to file fresh Affidavit identical in content to the misplaced Affidavit dated 03.10.2023 which was sent through email to the Authority.</p> <p>Considered and allowed the prayer of the Complainant to file fresh Affidavit dated 11.12.2023 in place of the Affidavit dated 03.10.2023.</p> <p>Let the said Affidavit of the Complainant dated 11.12.2023 be taken on record.</p> <p>Respondent submitted a Written Response on Notarized Affidavit dated 18.10.2023, as per the order of this Authority dated 26.09.2023, which has been received by this Authority on 30.10.2023.</p> <p>Let the said Written Response of the Respondent be taken on record.</p>	

Complainant submitted a Rejoinder on Notarized Affidavit dated 16.11.2023, as per the last order of the Authority dated 09.11.2023, which has been received by this Authority on 04.12.2023.

Let the said Rejoinder of the Complainant be taken on record.

Respondent also submitted a Supplementary / Additional Written Response on Notarized Affidavit, as per the last order of the Authority dated 09.11.2023, which has been received by this Authority on 08.12.2023.

Let the said Supplementary Written Response of the Respondent be taken on record.

The Authority is of the opinion that the Attendance of the brother of the Complainant cannot be taken into consideration in view of the provision of section 56 of the RERA Act which provides that the Complainant either appear in person or through Advocate or Chartered Accountant etc.

Therefore the Attendance of brother of the Complainant is hereby not taken into consideration as a valid Attendance of the Complainant.

Complainant is hereby directed either appear in person or through advocate or chartered accountant on the next date of online hearing. Any friend or relative may assist the Complainant in hearing but he or she cannot solely represent the Complainant.

If the Complainant remain absent even on the next date of hearing, the matter shall be disposed of ex-parte on the next date.

Fix **18.04.2024** for further hearing and order.


(BHOLANATH DAS)

Member

West Bengal Real Estate Regulatory Authority


(TAPAS MUKHOPADHYAY)

Member

West Bengal Real Estate Regulatory Authority