

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

Complaint No. WBRERA/COM000253

Satyanarayan Nandi..... Complainant

Vs

Ideal Real Estate Pvt. Ltd..... Respondent

Sl. Number and date of order	Order and signature of Authority	Note of action taken on order
01 07.03.2024	<p>Complainant is present in the online hearing filing hazira through email.</p> <p>Respondent is absent in the online hearing despite due service of hearing notice to the Respondent through speed post and also email.</p> <p>Let the track record of due service of hearing notice to the Respondent be kept record.</p> <p>Heard the Complainant in detail.</p> <p>As per the Complainant, he has purchased a flat, bearing no. 19C, Crane at 'Ideal Aqua View' project of the Respondent situated at Sale Lake Sector-V, Mahishbathan, Kolkata from Ideal Real Estates Pvt. Ltd., Regd. Office at 50, J. N. Road, 11th Floor, Kolkata -71 and the flat was registered on 26th Nov'2021. At the time of registration, the promoter had made a false commitment to execute some pending jobs within one month and handover the flat to them sfor possession. In spite of their repeated requests, the balance jobs are not completed till date and the Respondent-Promoter is not responding them. The balance incomplete jobs are listed below for which they have made full payment:-</p> <ol style="list-style-type: none">Supply & fixing of A.C. inside the flats which was in the agreement and full payment has been done by the Complainant.Covered basement car parking space B-327.Electrical cable laying from the main DB to the flat and electrification works.Painting in the balcony railing and few other misc. works inside the flat.	

The Respondent-Promoter had mislead them and insisted for clearing the entire payment and to register the flat and not doing the balance jobs for which they are unable to take physical possession of the flat as the Respondent has cheated us. They have lost an equivalent amount of rent of Rs.20,000/-p.m. for last 16 months amounting Rs.3.20 lakhs.

In this Complaint Petition the Complainant prays before the Authority for the following relief(s):-

To complete the balance incomplete jobs by the Respondent as listed below for which they have made full payment and hand over the key of the flat:-

- a) Supply & fixing of A.C. inside the flat which was in the Agreement for Sale and full payment has been done by them.
- b) Covered basement car parking space bearing no. B-327.
- c) Electrical cable laying from the main DB to the flat and electrification works.
- d) Painting in the balcony railing and few other misc. works inside the flat.

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 the Complaint Petition on a Notarized Affidavit 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 of the Authority by email.


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.

The Respondent is further directed to submit the Written Response on

notarized affidavit within the stipulated time period, failing which, no more time /chance shall be given to the Respondent to submit the Written Response on affidavit for the ends of speedy disposal of justice as per the provision of section 29(4) of the Real Estate (Regulation & Development) Act, 2016.

If the Respondent remain absent even on the next date of hearing, the Authority shall have no other option but to proceed with ex-parte hearing and disposal of this matter for the ends of speedy and effective disposal of the justice.

Fix **16.05.2024** for further hearing and order.



(SANDIPAN MUKHERJEE)
Chairperson
West Bengal Real Estate Regulatory Authority



(BHOLANATH DAS)
Member
West Bengal Real Estate Regulatory Authority