

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

Complaint No.WBRERA/COM-000034

Sheetal Shaw

.....Complainant

Vs

1. Fairland Development India Ltd.
2. Soumita Construction Pvt. Ltd.
3. Team Tauruso

..... Respondents

Sl. Number and date of order	Order and signature of Officer	Note of action taken on order
1 ----- 06.03.2023	<p>Advocate Prabir Ch. Ghose and Advocate Sarbajit Mukherjee were present on behalf of the Complainant in the online hearing filing hazira and Vakalatnama through email.</p> <p>Advocate Masooma Khan representing the Respondent is present in the online hearing filing hazira and Authorization through email.</p> <p>Heard both the parties in detail.</p> <p>As per the Complainant, he has entered into an Agreement for Sale on 30.10.2014 for purchase of a flat bearing No. 1F in the 1st floor measuring approximate 902 sq.ft., in Tower-2 at Bishnupur, District- South 24 Parganas together with one covered car parking place on the ground floor. The Respondent No. 2 i.e. Soumita Construction Pvt. Ltd., issued a letter of Allotment in respect of the said flat bearing No. AL/SCPL.TC/IB/06/2/1F/14-15 dtd. 29.07.2014. The Complainant till date paid Rs.14,88,276/- (Rupees fourteen lakhs eighty-eight thousand two hundred seventy-six only) against receipts issued by the Respondent. By letter dated 04.06.2018, the Complainant terminated the arrangement on 30.10.2014 as per Agreement for Sale under Clause No. 9.5.</p> <p>The Complainant now prays before the Authority for refund the entire amount paid by him along with interest @10% p.a., from the date of respective payment till realization, as the Respondent have committed the</p>	

breach of contract as recorded in the said Agreement for Sale.

Advocate of the Respondent stated that, the Complainant was defaulter from 2016 in making payment as per the payment schedule.

After hearing both the parties, the Authority is satisfied to admit this matter for further hearing and order.

The Complainant is directed to submit his total submission regarding his Complaint Petition on a Notarized Affidavit annexing therewith notary attested supporting documents, if any, and send the original affidavit to the Authority serving a copy of the same to the Respondent, both in hard and soft copies, within 15 days from the date of receipt of this order through email.

The Respondent is directed to submit his Written Response regarding the Complaint Petition on a Notarized Affidavit annexing therewith notary attested supporting documents, if any, and send the original affidavit to the Authority serving a copy of the same to the Complainant, both in hard and soft copies, within 15 days from the receipt of the Affidavit of the Complainant.

Fix **11.04.2023** for further online 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