

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

Complaint No. WBRERA/COM000618

Monomita Ganguly & Abhijit Bhattacharya.....Complainants

Vs

S E Builders Realtors Limited Respondent

Sl. Number and date of order	Order and signature of the Authority	Note of action taken on order
02 14.11.2024	Advocate Mr. Debdutta Raha (Mob. No. 8240476683 & email Id: adv.debdutta.raha@gmail.com) is present in the physical hearing on behalf of the Respondents and signed the Attendance Sheet. Mr. Piyush Singhania, GM-CRM along with Ms. Moumita Kundu, Sr. Manager Legal (Mob. No. 9903844131 & email Id: moumita.kundu@ambujaneotia.com) is present in the physical hearing on behalf of the Complainant filing Authorization and signed the attendance sheet. Complainant submitted Affidavit as per last order of the Authority dated 16.07.2024, which has been received by this Authority on 01.10.2024. Let the said Affidavit of the Complainant be taken on record. In the self same matter a separate case was initiated vide Complaint No. WBRERA/COM 000928 and in the said Complaint Petition the Respondent of the Complaint No. WBRERA/COM 000618 was Respondent and in the said Complaint No. WBRERA/COM 000928 contents of the Affidavit submitted by the Complainant has been taken as Affidavit of the Respondent. No further Affidavit has been recorded as received by the Authority from the Respondent of Complaint No. WBRERA/COM 000618. Heard both the parties in details. As per Affidavit submitted by the Complainant and his oral submission at the time of hearing the Complainant has not received any notice / invoice for making payment through registered post as per clause 29 of the Agreement for Sale signed between both the parties. In the said clause of Agreement for Sale it has been written specifically that if the invoice / demand is sent by registered post, then it shall be deemed to have been duly served. The Complainant also stated that instead of receiving any invoice by registered post, she received one notice vide no. CNL01/UTL031605 dated 20.08.2022 cancelling the allotment of the Unit / Apartment no. UPL031605 which was allotted by the Respondent in favour of him as per allotment letter and Agreement for Sale.	

The Complainant further stated that without receiving the invoices for making payment through agreed communication mode as per provision of the Agreement for Sale, he did not make any payment. However he is ready to pay all the installment towards the cost of the flat after receiving demand / invoices of the Respondent through proper mode of communication i.e. by registered post.

As the invoices has not been received, the question of paying interest does not arise.

The Respondent stated that they are making all communications for sending invoices etc. to the Allottees including the Complainant of this instant Complaint Petition on a environment friendly manner through email mode, particularly after outbreak of covid 2019.

After hearing both the parties, the Authority is hereby pleased to give the following directions:-

Both the parties are at liberty to submit any additional documents, if they wish to do so, on Notarized Affidavit within 15 days from the date of receipt of this order of the Authority through email. In addition to it the Respondent shall specifically furnish documents on their Affidavit informing whether any payment has been made by the Complainant on the basis of email communication from the Respondent.

Fix **28.08.2025** for further hearing and order.


(BHOLANATH DAS)
Member

West Bengal Real Estate Regulatory Authority


(TAPAS MUKHOPADHYAY)
Member

West Bengal Real Estate Regulatory Authority