

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

Complaint No.WBRERA/COM 000265 (erstwhile WBHIRA)

Smarajit Kotal and Sumouli Das..... Complainant

Vs.

Dharitri Infraventure Private Limited..... Respondent

Sl. Number and date of order	Order and signature of Officer	Note of action taken on order
05 26.07.2023	<p>Complainant Mrs. Sumouli Das is present in the online hearing filing hazira through email.</p> <p>Advocate Sayantani Das is present in the online hearing on behalf of the Respondent, filing hazira and vakalatnama through email.</p> <p>Respondent submitted Written Objection on Notarized Affidavit dated 20.07.2023, as per the last order of the Authority dated 06.06.2023, which has been received by this Authority on 20.07.2023.</p> <p>Let the said Written Objection of the Respondent be taken on record.</p> <p>Complainant submitted a Rejoinder on Notarized Affidavit dated 25.07.2023 against the Written Objection of the Respondent, as mentioned above, which has been received by this Authority on 08.08.2023.</p> <p>Let the said Rejoinder of the Complainant be taken on record.</p> <p>Heard both the parties in detail.</p> <p>Respondent stated at the time of hearing that a 3 katha land has been Registered in favour of the Complainant vide Deed</p>	

of Conveyance being no. 152311972 of 2019, Vol. NO. 1523-2019, Book No. 1 dated 01.10.2019 before the Additional District Sub-Registrar, Rajarhat, 24 Parganas (North).

After the completion of the Registration of the said Deed of Conveyance the Complainant raised an issue with the position of the land and demanded to change his plot position to front side.

The Complainant stated at the time of hearing that they have paid total Rs.35,44,000/- towards payment for the bungalow and Rs.82,464/- as Registration Cost of the 3 Katha land. She also stated that the building construction and project progress of the Respondent is not satisfactory therefore the Complainant prayed for the relief of:-

- i) Buy Back of the 3 Katha Land by the Respondent at current market rate.
- ii) Refund of the remaining amount of Rs.12,26,464/- along with interest as per RERA Act and Rules.

After hearing both the parties the Authority is pleased to give the following orders :-

- a) The Respondent shall buy back the plot of land already registered in favour of the Complainant, within 90 days from the date of receipt of this order by email; and
- b) The Respondent shall refund the amount of Rs.12,26,464/- (Rupees Twelve Lakhs Twenty Six Thousand Four Hundred Sixty Four Only) alongwith interest @SBI PLR + 2% per annum for the period starting from the date of respective payments made by the Complainant till the date of realization, within 45 days from the date of receipt of this order; and
- c) Respondent shall refund the Registration Cost of the plot of land of 3 katha amounting to Rs.82,464/- to the

Complainant, within 45 days from the date of receipt of this order of this Authority by email.

Let the copy of this order be sent to both the parties by speed post and also by email.

With the above directions the matter is hereby disposed of.



(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