

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

Complaint No.WBRERA/COM000513

Ahmad Ameer Khusro..... Complainant

Vs.

Siddha Waterfront Llp..... Respondent

Sl. Number and date of order	Order and signature of Authority	Note of action taken on order
01 07.01.2025	Complainant is present in the physical hearing and signed the attendance sheet. Mr. Gopal Ladha (Mob. No. 9903275333 & email Id: rrservices2018@gmail.com), Authorized Representative of the Respondent is present in the physical hearing on behalf of the Respondent filing Authorization and signed the Attendance Sheet. Heard both the parties in details <u>Fact of the case:-</u> Siddha Waterfront LLP the Respondent herein has come with a project at Mouza Patulia, J. L. No. 4, within the jurisdiction of Khardaha Municipality, Police Station Khardah, Kolkata -700119 wherein they constructed the Block/Building with residential apartments in phase wise manner and the same is registered as Phase-I with HIRA vide Regd. No. HIRA/P/NOR/2018/000185, Phase-II with HIRA vide Regd. No. HIRA/P/NOR/2020/000950 and Phase III is to be registered with RERA. Being interested in purchasing an apartment in Block/Building namely LOTUS which is to be constructed as Phase III and the sales executive of the said project told the Complainant that the Phase III is a registered project, and he booked an apartment LOTUS 605 WITH A TOKEN AMOUNT OF Rs.51,000/-.When the Respondent send the Complainant the allotment letter appeared therewith a Demand/Tax Invoice contains the registration No. of Phase II of the project instead of Phase III and when he enquired about the same it was told that registration of phase III is under process. Therefore, it is established that phase III is not registered with WBRERA Act, Rules and regulations. Complainant prays before the Authority for the following reliefs:- i) Pass an Order by directing the respondent to cancel the booking of the apartment No. 'LOTUS-605' and refund the token amount.	

- ii) Pass an order to charge interest on the token amount.
- iii) Pass such other order or orders as may be deemed fit and proper in the facts and circumstances of the case.

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 his 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 its 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.

In spite of the above directions both the parties shall be at liberty to mutually settle the matter by discussions and negotiations between themselves and if they arrived at mutually settle, they shall submit a Joint Notarized Affidavit and send the affidavit to the Authority within **30 days** from today and in that case there is no requirement of filing in separate affidavit as mentioned above.

Fix **14.08.2025** for further hearing and order.


(BHOLANATH DAS)
Member

West Bengal Real Estate Regulatory Authority


(TAPAS MUKHOPADHYAY)
Member

West Bengal Real Estate Regulatory Authority