

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

Complaint No.WBRERA/COM (PHYSICAL)000038

Motilal Jhalani

..... Complainant

Vs

Bengal Shrachi Housing Development Ltd.

..... Respondent

Sl. Number and date of order	Order and signature of Officer	Note of action taken on order
1 ----- 15.02.2023	<p>Complainant is present in the online hearing filing hazira through email. Advocates on behalf of the Respondent are present in the online hearing.</p> <p>Heard both the parties in detail.</p> <p>The case of the Complainant is that he applied for a flat for total consideration of Rs. 11,40,000/- (Rupees eleven lakhs forty thousand only) on 19.02.2011 along with Application Money of Rs. 50,000/- (Rupees fifty thousand only).</p> <p>The Respondent has sent a letter and intimated him on 27.02.2012 that one flat No. 3C at Maze - 2 has been allotted to him with the assurance that the allotment letter would be issued at the earliest. The possession of the flat was assured to be given within 33 (thirty-three) months from the date on which building plans were sanctioned. The Respondent sent to him another letter on 22.06.2016 and enclosed therewith one Circular dated 17.08.2015 of Govt. of West Bengal revising the price of the flat stating that the circular come into force from 17.08.2015. The Respondent has sent number of letter to the Complainant asking him to accept the revised price. The Complainant replied always by letter that the revised price of the circular is effective from 17.08.2015 and it is not applicable to him at all. As per the Complainant the Respondent illegally issued the allotment letter dated 23.11.2017 at the revised rate total amounting to Rs. 22,79,806/-.</p> <p>The Complainant prays for the relief of delivery of possession of a flat</p>	

at unrevised rate, for which he had paid the Application Money, and the total consideration value of the flat was Rs. 11,40,000/-.

The Respondent Advocate has submitted that they want to give Affidavit-in-Opposition to the Complaint Petition of the Complainant.

After hearing both the parties, the Authority is satisfied and admit this matter for further hearing and order and pleased to give the following directions:-

Complainant is directed to submit his total submission regarding this Complaint Petition on a Notarized Affidavit annexing therewith notary attested supporting documents and send the original affidavit to the Authority serving 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 by email.

Respondent is directed to submit their Written Response to the Complaint Petition annexing therewith authenticated 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 (fifteen) days from the date of receipt of the Affidavit of the Complainant.

Respondent is further directed to enclose the order passed by the Consumer Forum in this matter and their submission regarding the admissibility of this matter before this Authority in the light of the order of the Consumer Forum as well as they has to state their reply or objections to the Complaint Petition on merit in their notarised affidavit.

Fix on **06.04.2023** for further 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