

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

Complaint No. WBRERA/COM000986

1. Arif Hossain Laskar

2. Ali Ahmed Lasker Complainants.

Vs.

1. Dharitri Infraventure Private Limited

2. Mr. Vicky Singh Respondents.

Sl. Number and date of order	Order and signature of Authority	Note of action taken on order
04 12.08.2025	The Complainant, Arif Hossain Laskar and Ali Ahmed Lasker is physically present at the time of hearing by filing Hazira which will be kept in record. The Respondents, Dharitri Infraventure Private Limited & Mr. Vicky Singh are represented by the Legal Representative Smt. Sayantani Das by filing Hazira which will be kept in record. Today the Respondents have filed the Written Objection dated 11.08.2025 as per direction issued vide Order Nos. 2 and 3 dated 17.04.2025 and 15.07.2025 respectively which should be kept in record. The Complainants have also received the copy of the same. The Complainants stated that they have totally paid Rs.6,87,978/- to the Respondents for purchasing the Flat and the rest amount has not been paid by him as the demand has not been sent by the Respondents by any letter. The possession of the said flat was to be delivered within December, 2020 in complete and in habitable condition. But on 21.19.2024 the Complainants received the notice of final demand amounting to Rs.10,69,129/- and wanted to get delivery of the flat. The Complainants raised the question of EDC charges which was not mentioned earlier so they have not paid the last demand and they wanted to know the explanation of charging the same. The Complainants demanded that the project is not at all ready for delivery and so they have also demanded compensation for delayed delivery of possession. The Complainants prayed for delivery of the flat as early as possible. The Legal Representative of the Respondents submitted that there is defect on the Affidavit submitted by the Complainant as both the Complainants have not signed and there is no verification on the Affidavit. She also submitted that the Complainants are not stick to their complaint as to whether they want the delivery of flat or compensation for delay possession and complainant is	

raising the issue of the EDC charges which is not mentioned in their original complaint in form M as filed before the Authority been heard today. Complainant submitted EDC charges were raised by the respondent after they had filed their complaint before this Authority and the subject matter is related to their complaint.

The Legal Representative of the Respondents stated that the project is registered under WBHIRA and the Authority has extended the period of completion and the project was completed within the month of September, 2024. So there is no delay in completing the project as the extension was granted by the Authority and thus the question of giving compensation for delay in delivery of possession does not arise at all. She submitted that the project is completely ready and the Complainants can have the possession of the flat by making full and final payment as per the demand raised by the Respondents. About the EDC (Extra Development Charges) the Legal Representative stated that as per Section 19(6) of the Act there is a clear provision for demanding EDC from the Allottees which includes CCTV installations, water connection charges, electric connection etc. so the Complainants are bound to pay the EDC as demanded in the last demand notice. She also mentioned that the Complainants have kept the property in their own control by paying a nominal amount for which the Respondents are unable to sell out the same to other buyers for which the Respondents are suffering a financial loss. She also prayed for dismissal of the instant Complaint for vague, contradictory and procedurally defect Complaint as also the Affidavit filed by the Complainants.

Today the matter is partly heard.

Now, the point raised by the Legal Representative regarding the Extension of the project granted by this Authority does not mean to hamper the rights and contentions of the Complainants over the property and in any way it cannot be a shield to the Respondents for delay delivery of the flat to the Complainants.

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

- a) The Complainants are hereby directed to submit correct Notarized Affidavit signed by both the Complainants both in hard and soft copy to the Authority and to the Respondent within **1 (one) week** after receiving the instant order; and
- b) The Respondents are hereby directed to submit Written Rejoinder Affidavit enclosing Notary/self-attested copy of the O.C./C.C. of the project along with the last demand raised by the respondent and the possession letter issued to the complainant ,if any within **1 (one) week** time from the date of receipt of the instant order by email.

Fix after **4 (four) weeks** for next hearing and order.



(JAYANTA KR. BASU)

Chairperson

West Bengal Real Estate Regulatory Authority



(BHOLANATH DAS)

Member

West Bengal Real Estate Regulatory Authority