

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

Complaint No.WBRERA/COM-000019

Shankar Kar ..... Complainant

Vs.

Riverbank Developers Private Limited..... Respondent

Sl. Number and date of order	Order and signature of Officer	Note of action taken on order
04 <u>28.05.2023</u>	<p>Son of the Complainant Shri. Rohan Kar is present on behalf of the Complainant Shri. Shankar Kar in the online hearing filing hazira and authorization through email.</p> <p>Advocate Anirban Chatterjee is present on behalf of the Respondent Company in the online hearing. He is directed to send his hazira and Vakalatnama, through email, immediately after receiving this order.</p> <p>Heard both the parties in detail.</p> <p>Respondent has failed to submit any Written Response on affidavit before this Authority till date.</p> <p>The Complainant submitted at the time hearing that he has sent his affidavit to the Respondent and also sent the Affidavit to the Advocate of the Respondent Smt. Roshni Deepta Acharya. He also stated that the Advocate of the Respondent Smt. Acharya has received the affidavit and she has acknowledged it over mail to the Complainant.</p> <p>The Advocate of the Respondent Shri. Anirban Chatterjee stated at the time of hearing that there is a change of Advocate and therefore some more time is required by him to submit the Written Response.</p> <p>In the last order of the Authority dated 26.05.2023, it has been categorically stated that it is the last chance given to the Respondent to file Written Response and it has been also stated that if the Respondent remain absent on the next date of hearing then this matter shall be heard and disposed of ex-parte for the sake of speedy disposal of justice.</p> <p>The Authority is of the opinion that already reasonable opportunity and sufficient time has been granted to the Respondent to file Written Response and therefore no more time can be granted to the Respondent to file Written Response on Affidavit.</p>	

After examination of the affidavit of the Complainant and notary attested photocopy of documents annexed with the Affidavit and after hearing both the parties in detail in the online hearing, the Authority is of the considered opinion that the Respondent has failed in his obligation to execute the Registration of the Conveyance Deed in favour of the Complainant within the time period as specified in section 17 of the Real Estate Regulation and Development Act, 2016.

Hence, it is hereby

ORDERED

that the Respondent shall execute a Registered Conveyance Deed in favour of the Complainant within 60 (sixty) days from the date of receipt of this order by email.

Respondent is further directed to refund the excess amount, if any, paid by the Complainant for the purpose of Registration, after the registration process is completed.

Respondent is also directed to pay the interest amount on the amount paid by the Complainant for the purpose of the Registration, for the period of delay in executing the Registration, if agreed upon in that regard between the parties in the Agreement for Sale/General Terms and Conditions.

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

With the above directions this matter is hereby disposed of.



(SANDIPAN MUKHERJEE)

Chairperson

West Bengal Real Estate Regulatory Authority



(BHOLANATH DAS)

Member

West Bengal Real Estate Regulatory Authority

28/5/2013