

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

Complaint No. WBRERA/COM 001312

Ujjala Mallick Complainant

Vs

Aarya Developers Respondent

Sl. Number and date of order	Order and signature of the Authority	Note of action taken on order
01 08.08.2025	Advocate Tanmoy Chakraborty (mobile no:- 8697630680) and Advocate Akash Das (mobile no:- 8335920569 email:- dasakash8074@gmail.com) are present in the hearing today physically on behalf of the Complainant, filing hazira and vakalatnama and signed the attendance sheet. Advocate Rakesh Chakraborty (email:- advocaterakesh88@gmail.com) is present in today's hearing on behalf of the Respondent through online mode. He is directed to send his Authorization and hazira through email immediately after today's hearing. As per the Complainant, she booked a flat in the "Swiss Vally Phase 3" project, Flat No. 5B, and entered into an Agreement on August, 2023 and paid around 11 lakhs so far. The remaining payment was to be made after completion of the construction. Due to poor quality of construction, viz. deep cracks on the walls and beams of the flat etc, the Complainant urged for rectification of the same and refused to make further payment but she has been illegally threatened by the Respondent that her allotment would be canceled if the remaining payment be not made by the Complainant. Without addressing the grievance of the Complainant the Respondent unilaterally refunded Rs. 9.5 lakhs to the Complainant. The Complainant prays for relief of protection of her lawful flat allotment, direction upon the promoter to complete all pending works and rectify substandard construction, protection against any further threats or mental harassment etc. The Respondent stated that in spite of repeated requests for payment of the remaining amount the Complainant did not pay any heed to those notices and did not make payment for the remaining consideration value of the flat, for which they have compelled to take action as per provision of Agreement. After hearing the Complainant, 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 their 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 their 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.

Fix after **8(eight) weeks** for further hearing and order.



(JAYANTA KR. BASU)

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