

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

Complaint No.WBRERA/COM000518

Jayant Dubey..... Complainant

Vs.

Bengal Shapoorji Housing Development Pvt. Ltd. Respondent

| Sl. Number and date of order | Order and signature of Authority | Note of action taken on order |
|------------------------------|--|-------------------------------|
| 01 07.01.2025 | <p>Advocate Siddharth Tiwari is present in the online hearing on behalf of the Complainant, filing hazira and Vakalatnamathrough email.</p> <p>Mr. Ayan Das(email Id:ayan.das@shapoorji.com and Mobile No. 9831195071)Authorized Representative of the Respondent Promoter Companyis present in the online hearing on behalf of the Respondent filing hazira and Authorization through email.</p> <p>Heard both the parties in details.</p> <p>Fact of the case:-</p> <p>That the Complainant Major Jayant Dubey is a permanent resident of Saraswati Subham, Flat-1A, P-241, Upen Banerjee Road, Kolkata, Parnashree, 700060. The Complaint entered into an Agreement of Sale with the allotted Apartment No. L/58/0101 on agreed sum of Rs.27,11,247/- exclusive of the taxes, registration fees etc. That, till date the allotted flat has not been delivered to him. Previously, when the complainant has filed complaint before WBHIRA vide Complaint no. 000553 dated 23.11.2020, for delivery of possession and interest for delay in delivery of possession the respondent had filed written response in that case stating the complainant's flat shall be delivered by September 31,2022. However, in the meanwhile the authority stopped functioning and even till date respondent has not delivered possession of the Complainant's flat.</p> <p>Complainant prays before the Authority for the following reliefs:-</p> <p>In view of the facts and circumstances the Applicant prays that respondent be directed to immediately deliver possession of his allotted flat. That be granted compensation with interest for each day of delay in delivery of possession.</p> <p>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</p> | |

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 Complainant shall provide in his affidavit in a Tabular Form chronologically all the payments made by his mentioned date, amount and money receipt number all the payments in her affidavit.

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.

On the next date physical hearing shall be held in the office of WBRERA,

Fix **18.03.2025** for further hearing and order.


(BHOLANATH DAS)
Member

West Bengal Real Estate Regulatory Authority


(TAPAS MUKHOPADHYAY)
Member

West Bengal Real Estate Regulatory Authority