

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

Complaint No.WBRERA/COM000516

MANASI MAITI Complainant

Vs.

Dream Gateway Hotels Ltd. Respondent

Sl. Number and date of order	Order and signature of Authority	Note of action taken on order
01 07.01.2025	<p>Complainant is present in the online hearing filing hazira through email.</p> <p>Advocate Ms. Bidisha Banerjee (email Id:bbanerjee2891@gmail.com) present in the online hearing on behalf of the Respondent filing hazira and Vakalatnama through email.</p> <p>Heard both the parties in details.</p> <p>Fact of the case:-</p> <p>According to the "Completion & Possession; clause 6.4: "The purchaser, the Complainant herein, shall not raise any objection or claim regarding the construction or completion of the Composite Unit after the physical possession in any manner and/or on any ground whatsoever, and it shall be deemed that the Purchaser is completely satisfied as to the constriction thereof." With that in effect, the Complainants want to ensure all the agreement terms and conditions were met before the final payment and possession. The builder respondents herein did not meet the agreement clauses refuses to provide us with documental proof for their claims such as:-</p> <ol style="list-style-type: none">1. The project completion is delayed beyond the time mentioned in the agreement and nine months for COVID. But the builder did not respond with the Complainant's claim for interest.2. The builder only provided the Complainant the completion certificate on July 27, and did not respond to their claim for interest. This delay their possession date indefinitely.3. The electric charges were to be paid on actual. The builder added 2.26 lakhs without providing any documents to show actual. <p>Complainant prays relief before the Authority in the followings:-</p> <ol style="list-style-type: none">1. The 6% per annum interest on the delay of possession until the issue is resolved, since the builder did not cooperate with any	

documents and justifications.

2. The electricity bills of Rs. 2.26 lakhs are to be deleted or added later when the documental proof of actual is available.
3. Alternatively, we pray to withdraw from the project with the return of the total amount with interest as per the rules.

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 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 21 (**twenty-one**) days from the date of receipt of this order of the Authority by email.

The Complainant is directed to send a scan copy of the Complaint Petition alongwith notarized affidavit to the email Id of the Advocate as mentioned above.

The Complainant shall provide in her affidavit in a Tabular Form chronologically all the payments made by her 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 **21 (twenty-one)** days from the date of receipt of the Affidavit of the Complainant either by post or by email whichever is earlier.

Fix **25.02.2025** for further hearing and order.



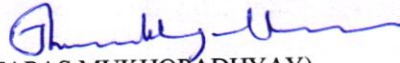
(JAYANTA KR. BASU)
Chairperson

West Bengal Real Estate Regulatory Authority



(BHOLANATH DAS)
Member

West Bengal Real Estate Regulatory Authority



(TAPAS MUKHOPADHYAY)
Member

West Bengal Real Estate Regulatory Authority