

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

Complaint No.WBRERA/COM000874

Madan Kumar Chaubey..... Complainant

Vs

Durgapur Real Estate Private Limited.....Respondent

Sl. Number and date of order	Order and signature of the Authority	Note of action taken on order
02 24.09.2024	<p>Complainant (Mob. No. 8250911741 & email Id: chaubeymadankumar@gmail.com) alongwithhis Advocate Mr. Subhro Kanti Roy Chowdhury (Mob. No.9831581182 & email Id: subhro.krc@gmail.com) is present in the physical hearing today filing vakalatnama and signed the Attendance Sheet.</p> <p>Advocate Mr. Amajit De (Mob. No.9830185441 & email Id: amajitde7@gmail.com) is present in the physical hearing today on behalf of the Respondent and signed the Attendance Sheet.</p> <p>Heard both the parties in detail.</p> <p>The Complainant submitted Notarized Affidavit dated 17.09.2024, containing their total submission regarding this Complaint Petition, as per the last order of the Authority dated 11.07.2024, which has been received by this Authority on 18.09.2024, but the Affidavit does not contain any annexure.</p> <p>Let the said Notarized Affidavit of the Complainant be taken on record.</p> <p>The Advocate of the Respondent stated at the time of hearing that he has received only the scan copy of the Affidavit just 5 (five) days back without annexure and signed copy of the Complaint Petition has not been attached with the said Affidavit.</p> <p>After hearing both the parties, the Authority is hereby pleased to give the following directions:-</p> <ol style="list-style-type: none">Complainant shall send a copy of his Affidavit, alongwith self attested / notary attested copy of all relevant documents and also annexing therewith a signed copy of the Complaint Petition, to the Authority as well as to the Respondent, both in hard and scan copies, within 15 (fifteen) days from the date of receipt of this order of the Authority through email; andComplainant is further directed to provide in his Affidavit in a Tabular Form the details of the payments made by him chronologically specifically mentioning the date, amount, money receipt number, if	

- any, and the total amount paid by him; and
- c) The Complainant is also directed to send a scan copy of his affidavit alongwith all annexure to the **email Id** of the Advocate of the Respondent, as stated above; and
 - d) Respondent shall submit its Written Response on Notarized Affidavit, to the Affidavit of the Complainant and Complaint Petition, annexing therewith authenticated copy of relevant documents and send the Affidavit (in original) to the Authority, serving a copy of the same to the Complainant, both in hard and scan copies, within **15 (fifteen)** days from the date of receipt of the Affidavit of the Complainant, either by speed post or by email, whichever is earlier.
 - e) Respondent is further directed to provide a **Refund Schedule** in his Affidavit specifically mentioning the date, amount and number of installments by which they will refund the Principal Amount of Rs.18,14,200/-alongwith interest at the rate of SBI PLR+2% per annum to the Complainant.
 - f) Respondent is also directed to start payment as per the Refund Schedule given by them.

Inspite of the above directions, both the parties are at liberty to take initiative and try for an amicable settlement of the issues / disputes between them by mutual discussions and if they arrive at a Mutual Settlement, they shall submit a **Joint Notarized Affidavit**, signed by both the parties, containing the terms and conditions of the Mutual Settlement, and send the Affidavit (in original) to the Authority, before the next date of hearing and in that case there is no need of submitting separate affidavit(s) by Complainant and Respondent, as per the directions given above.

Fix **11.02.2025** for further hearing and order.



(JAYANTA K.R. BASU)
Chairperson
West Bengal Real Estate Regulatory Authority



(TAPAS MUKHOPADHYAY)
Member
West Bengal Real Estate Regulatory Authority