

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

Complaint No.WBRERA/COM000929

Dhiraj Mandal..... Complainant

Vs

Shiv Niketan Private Limited Respondent No. 1.

Bhutoria Construction Private Limited..... Respondent No.2

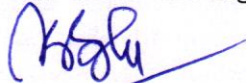
Sl. Number and date of order	Order and signature of the Authority	Note of action taken on order
02 16.01.2025	<p>Complainant (Mob. No. 9830130105 & email Id: dhiraj.rupa74@gmail.com) is present in the physical hearing and signed the Attendance Sheet.</p> <p>Advocate Mr. Arcoh Chatterjee (Mob. No. 8420378365 & email Id: arcoh.adv@gmail.com) and Advocate Mr. Arpan Mukherjee are present in the physical hearing on behalf of the Respondent filing Vakalatnama and signed the Attendance Sheet.</p> <p>Complainant submitted Notarized Affidavit dated 14.08.2024, containing his total submission regarding the Complaint Petition, as per the last order of the Authority dated 07.08.2024, which has been received by this Authority on 14.08.2024.</p> <p>Let the said Affidavit of the Complainant be taken on record.</p> <p>Heard both the parties in detail.</p> <p>Respondent submitted Notarized Affidavit dated 15.01.2025, containing their Written Response, serving a copy of the same to the Complainant at the time of hearing today.</p> <p>Let the said Written Response of the Respondent be taken on record.</p> <p>Complainant stated that he has received possession on 14.01.2025m and registration of the flat has been done in his favour on 20.12.2024.</p> <p>He stated that the maintenance has been charged from October 2024 while he has received possession on 14.01.2025 and maintenance of one year has already been taken earlier by the Respondent Promoter.</p> <p>Respondent stated that they have received Completion Certificate (C.C.) of the Project in October, 2024 and several times they have given notice to the Complainant to make payment of the remaining amount and take the possession</p>	

but the Complainant failed to take possession and made payment only in November / December 2024 and thereafter possession and registration has been duly done in favour of the Complainant.

After hearing both the parties, the Authority is hereby pleased to give the following directions:-

- a) Respondent shall submit a Notarized Affidavit stating their submission regarding the payment of the interest for the delay period, as claimed by the Complainant, from 31.12.2021 (the schedule date of delivery) to 14.01.2025 (actual date of delivery of possession) and also stating that why maintenance has been charged from October 2024 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 days** from the date of receipt of this order of the Authority through email; and
- b) Complainant shall be at liberty to submit a Rejoinder / Reply in Notarized Affidavit to the Affidavit of the Respondent, as directed above, serving a copy of the same to the Respondent, both in hard and scan copies, within **15 days** from the date of receipt of the Affidavit of the Respondent, by post or by email, whichever is earlier.

Fix **03.04.2025** for further physical 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