

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

Complaint No. WBRERA/COM000783

Montu Kumar Hazra Complainant

Vs

Bengal Emami Housing Limited.....Respondent


Sl. Number and date of order	Order and signature of the Authority	Note of action taken on order
02 14.11.2024	<p>Advocate Badrul Karim (Mobile - 7076994749, email - badrulkarimadv2016@gmail.com) is present on behalf of the Complainant filing vakalatnama and signed the Attendance Sheet.</p> <p>Advocate Shalini Dey (Mobile - 9007116453 and email - shalini@gaggarcollp.com) is present on behalf of the Respondent Company in the physical hearing today filing vakalatnama and signed the Attendance Sheet.</p> <p>Complainant submitted Notarized Affidavit dated 19.09.2024, containing his full submission regarding this Complaint Petition, as per the order of this Authority dated 16.07.2024, which has been received by this Authority on 20.09.2024.</p> <p>Let the said Affidavit of the Complainant be taken on record.</p> <p>Complainant also submitted at the time of hearing today an Affidavit-of-Service dated 14.11.2024 stating that he has duly served the Affidavit to the Respondent as per the direction of this Authority in the last order.</p> <p>Let the said Affidavit of Service of the Complainant be taken on record.</p> <p>Respondent did not any Affidavit till date.</p> <p>Heard both the parties in detail.</p> <p>The Complainant prayed for immediate possession of the flat booked by him and also stated that he shall complete the final payment at the time of registration.</p> <p>The Respondent prayed for four weeks time to file the Written Response on Notarized Affidavit. They have sent email on 11.11.2024 in this regard to the Authority.</p> <p>Let the said email dated 11.11.2024 be taken on record.</p>	

Complainant stated that he has made necessary correction in the draft Deed of Conveyance which was sent by the Respondent and he has sent the corrected draft to the Respondent. He prayed for immediate execution of the deed of conveyance by the Respondent.

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

- a) Respondent shall submit **Written Response** on notarized affidavit, 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 this order of the Authority through email; and
- b) Respondent shall provide the details regarding the Completion Certificate / Occupancy Certificate of the project in their Notarized Affidavit as directed above; and
- c) Complainant is at liberty to submit a **Reply/Rejoinder on Notarized Affidavit**, serving a copy of the same to the Respondent, both in hard and scan copies, within **7 (seven) days** thereafter; and
- d) Respondent shall complete the execution of the Deed of Conveyance within **60 (sixty) days** from the date of receipt of this order of the Authority; and
- e) In spite of the above directions, both parties shall be at liberty to amicably settle the matter between themselves by mutual discussion / negotiation and in that case a Joint Notarized Affidavit signed by both the parties, containing the terms and conditions of the settlement, shall be submitted before the next date of hearing.

Fix **25.03.2025** for further hearing and order.


(BHOLANATH DAS)
Member

West Bengal Real Estate Regulatory Authority


(TAPAS MUKHOPADHYAY)
Member

West Bengal Real Estate Regulatory Authority