

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

Complaint No.WBRERA/COM 001269

Bijoya Chakraborty..... Complainant  
Vs.

Dharitri Infraventure Private Limited..... Respondent

| Sl. Number and date of order | Order and signature of the Authority                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Note of action taken on order |
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| 03<br>22.09.2025             | <p>Complainant is represented by her son Saptarshi Chakraborti who appeared online in the hearing today filing hazira.</p> <p>Respondent is represented by Ms. Sayantani Das who appeared virtually in the hearing today. The complainant has submitted her Supplementary affidavit dated 15<sup>th</sup> July 2025 which is received by this Authority on 18<sup>th</sup> July 2025 and confirmed received by the respondent where the complainant has addressed the defects as mentioned by the respondent in his objection petition filed before this Authority on 14<sup>th</sup> July,2025 .</p> <p>The complainant's representative submitted that is they were not timely delivered the possession of the flat as promised by the respondent and seek full refund of the payment made against the flat promised and the accrued interest as mandated by the said RERA Act 2016 .The complainant's Representative for the complainant once again confirms the relief as sought by the complainant before this Authority of refund the payment made along with accrued interest as mandated by RERA Act 2016 along with the compensation for mental harassment. The complainant also so for temporary injunction upon the respondent not to create 3<sup>rd</sup> party interest on the said flat as provisionally allotted to the complainant by the respondent against whom payments were made by the complainant and accepted by the respondent.</p> <p>The authorized representative for the respondent objected to the complainant's relief where she points that on one hand complainant is seeking full refund of the payment made by her from the respondent and on the other hand also praying for a temporary injunction upon the respondent not to create 3<sup>rd</sup> party interest to the said flat. The representative for the respondents submitted that either of the two should be sought by the complainant as relief from this Authority against her client .Complainant categorically stated that her primary relief that she is seeking is as repeatedly stated in past hearings of full refund along with the accrued interest and she is also praying before this Authority for the temporary injunction upon the said flat to prevent the respondent for any financial hardship upon the complainant. The authorized representative for the respondent sought further time to submit affidavit in opposition. The respondent failed to comply with the direction issued by this</p> |                               |

Authority upon them vide the order 1 dated 21<sup>st</sup> May 2025 and subsequent orders.

After hearing both parties Authority is pleased to direct:-

A).The complainant seeking compensation from the respondent for mental harassment may file before the adjudicating officer his petition in **form N** ;

B).Respondent is directed to submit affidavit in opposition within a **week's time** vide the order 1 dated 21<sup>st</sup> May 2025 and subsequent orders upon receipt of this order and enclose the status of the flat in question by enclosing the photos of the flat both from inside and outside to disprove the Complainant's submission made today during hearing that during visiting the site on February 2025 there was hardly any progress in the development of this Project. The respondent is hereby directed to show cause why section 63 of the RE (R&D) ct 2016 should not be invoked against him for wilful non compliance of this Authority's orders and directions upon him.

C). An Ad-interim injunction is passed by the Authority upon the respondents not to create any 3<sup>rd</sup> party interest to said flat till further orders or the disposal of the instant complaint hearing.

Fix next date **5(five) weeks** from this date for further hearing and order.



(JAYANTA KR. BASU)

Chairperson

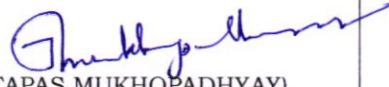
West Bengal Real Estate Regulatory Authority



(BHOLANATH DAS)

Member

West Bengal Real Estate Regulatory Authority



(TAPAS MUKHOPADHYAY)

Member

West Bengal Real Estate Regulatory Authority