

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

Complaint No. WBRERA/COM000482

Kakoli ChatterjeeComplainant

Vs

Dharitri Infraventure Pvt. Ltd.....Respondent

| Sl. Number and date of order | Order and signature of the Authority | Note of action taken on order |
|------------------------------|--|-------------------------------|
| 01 05.06.2024 | <p>Complainant is present in the online hearing filling hazira through email.</p> <p>Legal Executive of the Respondent Company Smt. Sayantani Das (Mobile - 8240745213 and email id - legalquery@dharitri-infra.com) is present in the online hearing on behalf of the Respondent filing hazira and Authorization through email.</p> <p>Heard both the parties in detail.</p> <p>As per the Complainant, she has booked a flat bearing no.Flat-C in first floor, Block – 1, Tower – 1 with area of around 600 sq.ft. in the project named 'New Site Royal Enclave Phase-1' situated at Mouza- Khudrait, New Town, Action Area – III, Shapoorji Bus Stop, Kolkata - 700135 on 04.05.2018 Complainant paid a token money of Rs.4,000/-. Complainant made payment of Rs.2,71,000/- through cheque no.SBI-672988 dated 15.05.2018. On 13.07.2018 the Complainant received Allotment Letter from the Respondent. The Agreement for Sale was made between the two parties on 01.08.2018 and as per agreement the flat was scheduled to be delivered in 2021. In the year 2019 Dharitri officials told to the Complainant over phone the building plan is changed and offered an alternative flat with new plant. Few days later the Complainant contacted with the Respondent Promoter Company and informed that she does not trust them and asked for refund of the full amount. After that the Complainant so many times contacted them but they never respond back. Finally, they have refunded Rs.50,000/-through NEFT on 05.05.2023 against police complaint.</p> <p>The Complainant prays before the Authority for the relief of refund of the amount of Rs.2,25,000/-with compensation of Rs.2,50,000/-for causing the mental harassment, unprofessional behavior resulting in the poor quality of service for which company is liable to bear the legal expenses.</p> <p>The Complainant stated at the time of hearing that her father as well as co-applicant has died.</p> <p>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</p> | |

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 their Complaint Petition on a Notarized Affidavit annexing therewith notary attested /self-attested copy of 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 scan copies, within **21 (twenty one)** days from the date of receipt of this order of the Authority by email.

The Complainant is also directed to send a scan copy of her affidavit to the email id of the Legal Executive of the Respondent, as mentioned above.

The Complainant is further directed to submit the detailed information regarding the death of the co-applicant and annexing a copy of the death certificate of her father with her affidavit.

The Respondent is hereby directed to submit his Written Response on notarized affidavit regarding the Complaint Petition and Affidavit of the Complainant, annexing therewith notary attested/self-attested copy of 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 scan 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 **10.09.2024** for further hearing and order.



(TAPAS MUKHOPADHYAY)

Member

West Bengal Real Estate Regulatory Authority