

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 (PHYSICAL)000075

Arup Laha & Debjani Laha..... Complainants

Vs

Siddha Real EstateDevelopment Private Limited....Respondent No. 1

Eden Realty Ventures Private Limited .... Respondent No. 2

| Sl. Number and date of order | Order and signature of the Authority   | Note of action taken on order |
|------------------------------|--|-------------------------------|
| 02<br>09.08.2024             | <p>Complainant (Mob. No. 9830043244 &amp; email id: <a href="mailto:aruplaha13@gmail.com">aruplaha13@gmail.com</a>) is present in the physical hearing and signed the Attendance Sheet.</p> <p>Smt. Rituparna Sengupta (Mob. No. 8972416855 and email id: <a href="mailto:rituparna@siddhagroup.com">rituparna@siddhagroup.com</a>) is present in the physical hearing on behalf of the Respondent No.1, being its legal executive, filing Authorization and signed the Attendance Sheet.</p> <p>Advocate Sanjay Bhattacharya (Mob. No. 8442968273 and email ID: <a href="mailto:sanjb240576@gmail.com">sanjb240576@gmail.com</a>) is present in the physical hearing on behalf of the Respondent No.2 filing Vakalatnama and signed the Attendance Sheet.</p> <p>Complainant submitted Notarized Affidavit dated 11.07.2024, containing their total submission regarding this Complaint Petition, as per the last order of the Authority dated 07.06.2024, which has been received by this Authority on 13.06.2024.</p> <p>Let the said Affidavit of the Complainant be taken on record.</p> <p>Respondent no.1 submitted Written Response on Notarized Affidavit dated 06.08.2024 to the Affidavit of the Complainant, as per the last order of the Authority dated 07.06.2024.</p> <p>Let the said Written Response of the Respondent no.1 dated 06.08.2024 be taken on record.</p> <p>Respondent no.2 submitted Written Response on Notarized Affidavit dated 18.07.2024 to the Affidavit of the Complainant, as per the last order of the Authority dated 07.06.2024, which has been received by this Authority on 22.07.2024.</p> <p>Let the said Written Response of the Respondent no.2 dated 18.07.2024 be taken on record.</p> |                               |

Heard all the parties in detail.

Respondent No. 1 stated that a mutual settlement is possible between the parties and therefore she prayed for sometime before the Authority for making mutual settlement with the Complainant.

Complainant consented to the proposal of the Respondent No. 1.

The Advocate on behalf of the Respondent No. 2 stated that Respondent No.2 is the Landowner of the project and as per the Development Agreement as well as the Agreement for Sale he is not under the obligation to pay the Complainant, as claimed by him in his Complaint Petition, and he prayed for expunging of the name of Respondent No.2 from this Complaint Petition.

After hearing both the parties, the Authority is pleased to direct the followings:-

- a) Both the Complainant and Respondent no.1 shall try for a mutual settlement by discussion among themselves within a period of **15 days** from the date of receipt of this order of the Authority through email and if they arrive at a Mutual Settlement, then they shall submit a **Joint Notarized Affidavit**, signed by both, 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
- b) If no mutual settlement is arrived at between the parties within the said period of **15 days**, as directed above, then Complainant shall submit a Rejoinder/ Reply on Notarized Affidavit to the Written Response of the Respondent no.1 and 2 and send the original Notarized Affidavit to the Authority, serving copy of the same to the Respondent no.1 and 2, both in hard and scan copies, within a **period of 15 days** after expiry of the 15 days timeline for mutual settlement.
- c) Whether the name of Respondent No. 2 shall be expunged or not shall be decided on the next date of hearing.

Fix **22.11.2024** for further hearing and order.

Sd/-  
(BHOLANATH DAS)  
Member

West Bengal Real Estate Regulatory Authority

Sd/-  
(TAPAS MUKHOPADHYAY)  
Member

West Bengal Real Estate Regulatory Authority

Certified to be true copy:

*File*  
09.08.2024

Special Law Officer  
West Bengal Real Estate Regulatory Authority