

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

Complaint No. WBRERA/COM000913

PS Group Realty Pvt. Ltd..... Complainant

Vs.

Preeti Agarwal..... Respondent

Sl. Number and date of order	Order and signature of the Authority	Note of action taken on order
01 05.09.2024	<p>Mrs. Taniya Saha (Mob. No. 9477007900 &amp; email Id:taniyasaha@psgroup.in), being Authorized Representative of Complainant Promoter Company is present in the online hearing on behalf of the Complainant filing Authorization.</p> <p>Advocate Tabbish Wasi (Mob. No. 9051240904 &amp; email Id:wasitabish101@gmail.com) is present on behalf of the Respondent Allottee in the physical hearing today and signed the Attendance Sheet.</p> <p>Heard both the parties in detail.</p> <p>As per the Complainant-Promoter Company, the facts of the case is that the allottee (Respondent) has booked an apartment being No. 5-16A in the project <b>One 10 Phase - I</b> for a consideration of Rs.81,95,904/-with applicable GST and other charges. Allotment has been issued in the name of the Allottee. The Allottee has registered his apartment through registered agreement for sale dated 23.10.2019. The allottee has paid a sum of Rs.92,57,601/-(including delay payment interest and GST) against the said apartment. But the Allottee did not make any payment from the year after the month of August 2021. The Promoter has raised the 5% remaining demands with Extras and deposits and gives reminders and requests to the allottee for making payments but she failed to make the payments. There is a due of Rs.12,27,649/-with applicable GST and with applicable interest for non-payment. They have issued termination letter to the allottee on 14.12.2023.</p> <p><b>The Complainant-Promoter Company prays before the Authority for the following relief(s):-</b></p> <ol style="list-style-type: none"><li>1. To cancel the allotment of the allottee.</li><li>2. To forfeit the cancellation charges.</li><li>3. To forfeit any interest which accrued or levied on him.</li><li>4. To claim damages accrued to the Complainant-Promoter for non-payment of dues.</li></ol> <p>After hearing both the parties, the Authority is pleased to admit this</p>	


matter for further hearing and order as per the provisions contained in Section 31 of the 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-Promoter 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 **15 (fifteen)** days from the date of receipt of this order of the Authority by email.

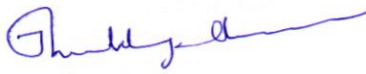
The Respondent-Allottee is hereby directed to submit her Written Response on notarized affidavit regarding the Complaint Petition and Affidavit of the Complainant, annexing therewith notary attested/self-attested copy of supporting documents, if any, and send the Affidavit (in original) to the Authority serving a copy of the same to the Complainant, both in hard and scan copies, within **15 (fifteen)** days from the date of receipt of the Affidavit of the Complainant either by post or by email whichever is earlier.

In spite of the above directions, both the parties are at liberty to take initiative and try for an amicable settlement of the issues between them by mutual discussions and if they arrive at a mutual settlement, 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 in that case there is no need of submitting separate affidavit(s) by Complainant and Respondent, as per the directions given above.

Fix **06.03.2025** for further hearing and order.

  
(BHOLANATH DAS)  
Member

West Bengal Real Estate Regulatory Authority

  
(TAPAS MUKHOPADHYAY)  
Member

West Bengal Real Estate Regulatory Authority