

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

Complaint No. WBRERA/COM (PHYSICAL)000080

Dakkhin kali Association of Apartment OwnersComplainant

Vs

Mr. Sashikant KhaitanRespondent No. 1

M/s. Saket Promoters Limited Respondent No. 2

Sl. Number and date of order	Order and signature of the Authority	Note of action taken on order
03 28.01.2025	<p>Mr. Somnath Mukherjee (Mobile - 9433102964, email id dkaliaoa@gmail.com), President of Dakkhin Kali Association of Apartment Owners and Advocate Sanghamitra Bose (Mob. No. 9231845187 & email Id: sanghamitraadvo@gmail.com) is present in the physical hearing on behalf of the Complainant filling vakalatnama and signed the Attendance Sheet.</p> <p>Respondent is absent in the physical hearing today despite due service of hearing notice to the Respondent by email.</p> <p>Let the track record of due service of hearing notice to the Respondent be kept on record.</p> <p>Respondent also not sent any intimation in this regard to the Authority.</p> <p>Respondent till date did not submit any Affidavit in non-compliance with the earlier two orders of the Authority, order no.1 dated 26.06.2024 and order no.2 dated 30.09.2024.</p> <p>At the time of hearing Respondent Mr. Sashikant Khaitan was contacted over phone and he was directed to appear in hearing through online mode but even then he did not appear in the hearing.</p> <p>Heard the Complainant in detail.</p> <p>After hearing the Complainant in detail and going through the Affidavit and documents submitted by the Complainant, the Authority is hereby pleased to direct the Respondents to handover / deliver to the Complainant-Association</p>	

within **90 days** from today the following:-

- a) The original documents of all sanctioned plans, site plans, completion certificate, any other relating documents of the premises no. 12, Barrister P. Mitra Road, Kolkata – 700035, which documents are to be delivered by the Respondent as per the provisions of Real Estate (Regulation and Development) Act, 2016; and
- b) Respondent shall handover the security deposits, sinking fund; and
- c) Respondent shall handover the original license / certificate of the lift(s) / elevator (s); and
- d) Respondent shall handover the One year maintenance amount deposited with them, alongwith proper balance sheet, from the year 2016 till date, to the Complainant-Association; and
- e) Respondent shall reimburse the Complainant-Association the expenses of Rs.3,28,441/- which the said Association has incurred for repairing the roof.

If the Respondents fail to comply the above order, within the stipulated time period, the Complainant is at liberty to file an Execution Application as per the Execution Regulation of the WBRERA Authority.

With the above directions the matter is hereby disposed of.

Let copy of this order be served to both the parties immediately by speed post and also by email.

Let a copy of this order be also uploaded in the WBRERA website (rera.wb.gov.in) under the heading 'Authority Orders'.


(BHOLANATH DAS)

Member

West Bengal Real Estate Regulatory Authority


(TAPAS MUKHOPADHYAY)

Member

West Bengal Real Estate Regulatory Authority