

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

Complaint No.WBRERA/COM000483

Rupam Mukherjee & Mitali Mukherjee..... Complainants

Vs

Sanjib Dey.....Respondent No.1

HDFC bank, Garia More Branch.....Respondent No.2

Sl. Number and date of order	Order and signature of the Authority	Note of action taken on order
05 26.09.2024	Complainants are present in the physical hearing and signed the Attendance Sheet. Advocate Pradosh Kiran Majumder (Mobile – 9836123934, 9831941439 and email id – rerapandits@gmail.com) is present in the physical hearing on behalf of the Respondent and signed the Attendance Sheet. Heard both the parties in detail. HDFC Bank Limited, Garia More Branch has submitted an Affidavit as per order dated 14.05.2024, which has been received on the same day in which they stated that there was deviation in the sanctioned plan found at the time of inspection of the said building by the official of the bank finding that north east side on the second floor had been converted to 2BHK flat and also north west side flat on third floor and fourth floor had been converted to 2BHK flat besides the above the orientation of the flats were not as per sanctioned plan and the area in the each unit / flat was not as per sanctioned plan. Due to such deviation the home loan of the Complainant was rejected by the bank. The bank intimated that the civil score of the Applicant Complainant was 792 at the time of applying home loan which is considered to be good. The Representative of the Respondent stated that they are ready to	

refund the Principal Amount of Rs.8,50,000/- to the Complainant. However Complainant prayed for payment of Principal Amount alongwith interest as per provision of RERA Act.

After hearing both the parties, the Authority is hereby pleased to give the following directions:-

- a) The Respondent no.2 that is HDFC Bank Limited, Garia More Branch is directed to submit another Notarized Affidavit stating clearly the date of inspection of the building and the particulars of sanctioned plan on the basis of which they rejected the loan and also particulars of the plan on the basis of which they approved loan application of some other Applicant-Allottees of the same building on subsequent occasions. This Affidavit shall have to be submitted in original to the Authority with copy to all the parties, both hard and soft version, within 15 days from the date of receipt of this order of the Authority through email.
- b) The Respondent no.2 is also directed to send a Responsible Officer of the Bank on the next date of hearing to explain the matter more vividly if required by the Authority.

Fix **14.08.2025** for further hearing and order.


(BHOLANATH DAS)
Member
West Bengal Real Estate Regulatory Authority


(TAPAS MUKHOPADHYAY)
Member
West Bengal Real Estate Regulatory Authority