

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

Complaint No. WBRERA/COM000452

Rita Choudhury Complainant

Vs.

Bablu Karmakar..... Respondent No. 1

M/s B.K. Enterprise..... Respondent No. 2

Sl. Number and date of order	Order and signature of Authority	Note of action taken on order
01 09.11.2023	<p>Mr. Sudipta Kr. Choudhury (Mob. No. 8240551670), the husband of the Complainant is present in the physical hearing filing hazira and signed the Attendance Sheet today.</p> <p>The Complainant is hereby directed to appear before the Authority either in person or through Advocate / Chartered Accountant on the next date of hearing as per section 56 of the Real Estate (Regulation and Development) Act, 2016.</p> <p>Respondent is absent in the physical hearing today despite due service of hearing notice through speed post and also by email.</p> <p>Let the track record of due service of the hearing notice to the Respondent be kept on record.</p> <p>Heard the Complainant in detail.</p> <p>As per the Complainant, the Respondent Builder cum promoter developer Mr. Bablu Karmakar sold the Complainant a 3 BHK flat in the year 2017. Though the flat was made ready, but the common amenities were not completed by the Respondent. On his verbal assurance to complete those due works soon, the Complainant had entered into the flat to reside. But since then and till now, even after repeated requests, he is not completing the pending works. Rather he is more interested to lengthen the hand over process as much as possible, as he is earning money by means of collecting maintenance charges and undue electricity charges from the residents. Basic amenities like lift in all blocks, electrical meter connection, water treatment plant, power back up services etc. are not provided as on this date.</p> <p>Rather the Respondent and his team ruling over the premises, allowing stranger persons to reside on the building terrace and consuming alcohol, which poses a serious threat for the residents especially for women and children.</p> <p>Being a Non-RERA registered company or firm, he is absolutely adamant</p>	

Real Estate (Regulation and Development) Rules, 2021 and give the following directions:-

Here the Complainant failed to include the name of M/s B.K. Enterprise as one of the Respondent but his whole Complaint is against M/s B.K. Enterprise and Mr. Bablu Karmakar. Therefore this Authority is of the considered opinion to include the said Promoter Company as one of the Respondent.

Let '**M/s B.K. Enterprise**' be included as Respondent no. 2 and '**Mr. Bablu Karmakar**' shall be Respondent no. 1 henceforth in the present matter.

The Complainant is directed to submit her total submission regarding her 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 original Affidavit to the Authority serving a copy of the same to the Respondent, both in hard and soft copies, within 10 (Ten) days from today.

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 supporting documents, if any, and send the original affidavit to the Authority serving a copy of the same to the Complainant, both in hard and soft copies, within 10 (Ten) days from the date of receipt of the Affidavit of the Complainant either by post or by email whichever is earlier.

Fix 07.12.2023 for further hearing and order.

(SANDIPAN MUKHERJEE)

Chairperson

West Bengal Real Estate Regulatory Authority

(BHOLANATH DAS)

Member

West Bengal Real Estate Regulatory Authority

(TAPAS MUKHOPADHYAY)

Member

West Bengal Real Estate Regulatory Authority

Certified to be True Copy

Sole
9.11.2023

Special Law Officer
West Bengal Real Estate Regulatory Authority