

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

Complaint No. WBRERA/COM000589

Dr. Debasish Dutta and Mrs. Mita Dutta Complainants

Vs.

Sri. Vicky Singh, Director of M/s. Dharitri Infraventure Pvt. Ltd..... Respondent

Sl. Number and date of order	Order and signature of Authority	Note of action taken on order
01 16.10.2023	<p>Complainants are present in the physical hearing and signed the Attendance Sheet.</p> <p>Respondent is absent in the physical hearing despite due service of hearing notice through speed post and also by email.</p> <p>Respondent has sent an email communication on 15.10.2023 at 9:05 pm praying for an adjournment of today's hearing on the ground of advocate of the Respondent will not be able to attend today's hearing.</p> <p>Let the said prayer of the Respondent received through email on 15.10.2023 be taken on record.</p> <p>Considered and rejected the prayer of the Respondent as today is the admission hearing of this matter and Complainants are present. Respondent will get sufficient time and chance to submit their response on affidavit and also at the time of physical hearing on the next date.</p> <p>Heard the Complainants in detail.</p> <p>As per the Complainants, they booked one residential 2 BHK flat bearing No. A, 3rd Floor, Tower-15 with super built up area of 750 sq.ft. approximately in the project named as 'Royal Enclave' situated at Newtown, Mouza- Hudrait, Saporji Bus Stop, District- North 24-Parganas, Kolkata - 700 135 of the Respondent Company on 12.02.2019. Total cost of the flat was Rs.22,40,000/- . Till date they have paid Rs.10,10,000/- (Rupees ten lakhs ten thousand only) to the Respondent Company in this regard. The Agreement for Sale was executed between the two parties on 27.03.2019. As per the Agreement for Sale, the</p>	

Respondent Company failed to deliver possession of the flat to the Complainant within the schedule time line that is within 2 years from the date of execution of the Agreement For Sale.

Therefore, the Complainant prays for the relief of refund of the entire Principal Amount immediately with proper interest as per provisions of the RERA Act and Rules.

After hearing the Complainant, the Authority is pleased to admit this matter for further hearing and order as per the provisions of 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 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 15 (fifteen) 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 15 (fifteen) days from the date of receipt of the Affidavit of the Complainant either by post or by email whichever is earlier.

Fix **19.12.2023** for further hearing and order.

Sd/-
(SANDIPAN MUKHERJEE)
Chairperson
West Bengal Real Estate Regulatory Authority

Sd/-
(BHOLANATH DAS)
Member
West Bengal Real Estate Regulatory Authority

Certified to be True Copy

2

Special Law Officer
West Bengal Real Estate Regulatory Authority

date
16.10.2023