

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

Complaint No. WBRERA/COM000803

Laden Lama ..... Complainant.

Vs.

Jain Group Project Limited. .... Respondent.

Sl. Number and date of order	Order and signature of Authority	Note of action taken on order
02 <u>20.05.2025</u>	<p>Complainant, Mrs Laden Lama appeared online at the time of hearing and she is requested to file hazira which should be kept on record.</p> <p>Respondent, Jain Group Project Limited is represented on by the Learned Advocate, Miss Sayantani Chatterjee , Sankar Mukhopadhyay, Mr. Subhankar Das, Authorized legal representative appeared physically and filed Vakalatnama and hazira which should be kept on record.</p> <p>The Complainant has submitted a Notarized Affidavit dated 07.02.2025, containing their total submission regarding this Complaint Petition, as per the last order of the Authority dated 31.01.2025, which has been received by this Authority on 10/02/2025.</p> <p>Let the said Notarized Affidavit of the Complainant be taken on record.</p> <p>The Respondent has not submitted Written Response in Affidavit till date in non-compliance with the last order of the Authority dated 31.01.2025. The Learned Advocate stated the erstwhile Advocate has resigned and the present Learned Advocate has sent only soft copy but no hard copy has been received by the Complainant.</p> <p>The Respondent stated that the very basis issue is not maintainable as the Case is not under the purview of WBRERA Act. Respondent to establish whether the instant project has obtained Completion certificate and the date it is served to the Allottees.</p> <p>The Complainant stated that the C.C. has not been issued as on date and this project is not registered under WBRERA. O.C. was served only two weeks ago which has been issued Gram Panchayet.</p> <p>The main issue of the Complainant is about the car parking space.</p> <p>The Respondent stated that the Annexure 'A' the Booking Form it is clearly mentioned that the car parking space will be open and the Complainant</p>	

admitted to that point. Annexure 'B' the Agreement for Sale Page 13 of the Agreement for Sale it is written that the type of car parking space is open and no charges will be made. Annexure 'C' Deed of Conveyance Page 8 it has been mentioned that the car parking will be one open together with the exclusive right to use one open car parking space and the car parking space will not be sole and so the complainant has given the car parking as per her choice. But this does not resolve the matter as mentioned by the Complainant in her Affidavit confirmed by the Respondent Advocate of the receipt of the same. The complainant is submitting that the Respondent has charged for providing a covered car park in her Affidavit. The respondent is also silent on the matter pertaining to the individual electric meter to be installed as on the date of hearing.

The complainant stated that Rs.2,50,000-/ has been taken by the Respondent for covered car parking but the Respondent stated that the same was given for Taxes and other charges.

Heard the Complainant and the Respondent in detail. The complainant also submitted that since they have received Affidavit in opposition only on 15<sup>th</sup> May, 2025, she needs further time to peruse and respond.

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

- a) The Respondent could not comply with the Order No. 1 dated 31.01.2025 besides not attending the Admission hearing dated 31.01.2025 and absenting without any intimation to the Authority, so it is hereby directed to show cause as to why penalty under Section 63 of the West Bengal Real Estate (Regulatory and Development) Act, 2016 should not be invoked upon them; and
- b) The Complainant is hereby directed to submit Written Rejoinder clearly mentioning their response on the 03 issues including covered car park , individual electric meter installation and date of receipt of the CC/OC from the respondent apart from any other issue/s within the purview of the RERA Act2016 in response to the Written Statement filed by the Respondent along with all the supporting documents self-signed or notary attested within **3 (three) weeks** from date both in hard copy and soft copy to this Authority as well as the Respondent.
- c) The Respondent is hereby directed to submit Written Response including the reply to the show cause issued upon the Respondent and also enclosing the certified copy on receipt of the Affidavit from the

complainant either hard or soft copy within **15 (fifteen) days** from date both in hard copy and soft copy to this authority as well as the Complainant.

Fix **6 (six) weeks** for further hearing and order.



(JAYANTA KR. BASU)  
Chairperson  
West Bengal Real Estate Regulatory Authority