

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

Complaint No. WBRERA/COM 001122

Tapas Kumar Bhattacharya and Ratna Bhattacharya Complainant

Vs

Badu Road Developers LLP Respondent

Sl. Number and date of order	Order and signature of the Authority	Note of action taken on order
02 26.05.2025	Complainant is present in the hearing through online mode. Authorized Representative Ritwika Bose, appeared in the hearing on behalf of the Respondent company through online mode. The Complainant submitted Affidavit as per the order of the Authority dated 19.02.2025, which have been received by the Authority on 07.03.2025. Respondent also submitted their Affidavit in Respondent to the Affidavit of the Complainant which has been received by the Authority on 21.05.2025. Heard both the parties in details. Complainant stated that no corrective action has been taken by the Respondent to repair seepage and dampness in the bathroom through reported long back. Complainant also stated that no action has been taken by the Respondent to solve other allegations raised by the Complainant till now. Respondent stated that repairing work of the seepage and dampness of the bathroom has been started and will be completed within 1 month. He also stated that the Complainant is not coming forward to solve any issues as raised by the Complainant. After hearing both the parties and going through the Affidavit submitted by both of them the Authority is of opinion that formation of association as per Apartment Ownership Act, West Bengal is urgently required to be completed in respect of the Project as the same has not been formed after getting CC and possession of the flat by the Complainant more than five years ago.	

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

- a) The Respondent shall repair the seepage and dampness of the bathroom within **1 month** from the date of receipt of this order of the Authority.
- b) Without prejudice and without imposing any condition, the Respondent shall take necessary action as per provision contained in Section 11.4 (e) of Real Estate (Regulation and Development) Act, 2016 to enable the formation of association including the Complainant so as to submit the applications to the competent Authority, observing all formalities and requirements under the West Bengal Apartment Ownership Act, within **3 months**, from the date of the receiving the order of the Authority and submit compliance reports of the same to the Authority on a notarized Affidavit, within **15 days** after that.
- c) The Respondent shall take all measures for proper maintenance and upliftment of the premises of the project in question till formation of the association and they will not discriminate any allottee including the Complainant in rendering such maintenance and other services.

The Authority shall review the matter on the next date of hearing.

Fix **07.11.2025** for further hearing and order.

Let copy of this order be served to both the parties immediately.


(BHOLANATH DAS)

Member

West Bengal Real Estate Regulatory Authority