

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

Complaint No.WBRERA/COM-000054

Govinda Kushari and Swati Kushari

.....Complainants

Vs

Bengal Shelter Housing Development Limited

..... Respondent

Sl. Number and date of order	Order and signature of Officer	Note of action taken on order
1 ----- 20.04.2023	<p>Complainants are present in the online hearing filing hazira through email.</p> <p>Shri. Prasenjit Ganguly is present on behalf of the Respondent Company being its Authorized Representative.</p> <p>The Complainant submitted that they have given wrong address of the Respondent by inadvertent mistake and prays before the Authority for correction of the record of this Complaint Case by incorporating the correct address of the Respondent which is given below:-</p> <p>Office address of the Respondent:- <i>Bengal Shelter Housing Development Limited, CB-63, Sector-I, Salt Lake City, Kolkata – 700 064.</i></p> <p>Email Id of the Respondent: mkt_bengalshelter@yahoo.co.in</p> <p>Phone No, of the Respondent: 033-4004 2371.</p> <p>Let the above mentioned address, email id and phone number of the Respondent be incorporated in the records of this case and henceforth all communications shall be sent to the Respondent in this address, email id and phone number.</p>	

Heard both the parties in detail.

As per the Complainants, the fact of the case is that they have booked a flat -at the project of the Respondent named 'Bagesree [HIG]' Block-4 named as 'Neel Diganta' situated at Barasat, North 24-Parganas, West Bengal, for residential purpose and paid total amount of Rs.10,81,870/- (Rupees ten lakhs eighty-one thousand eight hundred seventy only) till date to the Respondent in this regard. As per Para-12 of the Allotment Letter dated 15.01.2013, Respondent was supposed to give the possession of the flat in-question to the Complainants within 48 (forty-eight) months from the date of allotment. Till date no substantial construction of the above flat has been taken place and the Respondent failed to handover the possession of the flat to the allottees as per the scheduled time period.

The Complainant prayed in the Complaint Petition for the relief for refund of the total amount of Rs.10,81,870/- (Rupees ten lakhs eighty-one thousand eight hundred seventy) only paid by him along with interest as per RERA Act and Rules.

At the time of hearing Complainant submitted that just one hour before the hearing they have received a letter from the Respondent stating that they will refund the Principal Amount along with interest to the Complainant at the earliest.

The Authorized Representative of the Respondent present in the hearing stated that they are going to settle the matter with the Complainant by mutual discussion and prayed for

some time for amicable settlement between the parties.

After hearing both the parties, the Authority is of the opinion that there is chance / scope for amicable settlement between the parties. So both the parties are directed to sit together to settle the issues by mutual discussion and try to arrive at a mutual consensus for the settlement of the issues between them amicably and if they arrived at a mutual settlement, they will send a Joint Affidavit signed by both the parties containing the **Terms and Conditions** of the mutual settlement and the **Joint Affidavit** shall be sent to the Authority, within 3 weeks from the date of receipt of this order of the Authority by email.


Fix **26.05.2023** for further hearing and order.



(SANDIPAN MUKHERJEE)

Chairperson

West Bengal Real Estate Regulatory Authority



(BHOLANATH DAS)
Member
20/4/2023

West Bengal Real Estate Regulatory Authority



(TAPAS MUKHOPADHYAY)
20/4/2023

Member

West Bengal Real Estate Regulatory Authority