

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

Complaint No. WBRERA/COM (PHYSICAL)000145

Suman Mondal and Madhurima Mitra Complainants

Vs

Dharitri Infraventure Pvt. Ltd..... Respondent

Sl. Number and date of order	Order and signature of the Authority	Note of action taken on order
01 31.07.2024	<p>Complainant (Mob. No. 9836007125 & email Id: suman2009.suman@gmail.com) is present in the physical hearing and signed the Attendance Sheet.</p> <p>Ms. Sayantani Das being the Legal Representative of the (Mob. No.8240745213 & email Id: legalquery@dharitri-infra.com) is present in the physical hearing today on behalf of the Respondent filing Authorization and signed the Attendance Sheet.</p> <p>Heard both the parties in detail.</p> <p>As per the Complainant, they have booked a Bungalow on 26.12.2017 at Hatishala location and the project named was 'BLISS VILLE', but due to some legal dispute in the acquired land the project was closed. They did not get intimation about the same at all and when they went to follow up for the same they have offered a new project named as 'New Royal Enclave' with financial adjustments from the previous project which was invested earlier.</p> <p>With good faith, accordingly they did new Agreement for that new project with 20% booking money as per process on 14.04.2021 as per MoU document and as per MoU they have allotted Tower -26, floor - 1st, Area - 600 sq.ft. Flat - F alongwith open car parking space. Total Rs.3,63,750/- have been paid to the Respondent by the Complainant in this regard.</p> <p>But with utter disappointment they are informing that the necessary approval from WBRERA is not taken for the said tower and also work has been not started to till date since then.</p> <p>Thus they have facing harassment since the year 2017 onwards from the Respondent Dharitri Group.</p> <p>Therefore, presently they lost interest on the project and applying</p>	

for monetary compensation with interest as per market rate.

In this Complaint Petition, the Complainant prays before the Authority for the following relief(s):-

They want refund of our hard earned money alongwith interest as early as possible from the Respondent at one go (as per prevailing market rate).

Date-wise payment deposit amounts:-

1)	26.12.2017	Rs.1,00,000/-
2)	12.10.2019	Rs. 75,000/-
3)	24.02.2020	Rs.1,75,000/-
4)	24.02.2020	<u>Rs.13,750/-</u>
	Total	<u>Rs. 3,63,750/-</u>

After hearing both the parties, the Authority is pleased to admit this matter for further hearing and order as per the provisions contained in 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 its total submission regarding this 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 Affidavit (in original) to the Authority, serving a copy of the same to the Respondent, both in hard and scan copies, within **15 (fifteen)** days from today.

The Complainant is further directed to send a scan copy of its Affidavit alongwith annexure to the email Id of the Authorized Representative of the Respondent, as mentioned above.

The Respondent is hereby directed to submit its Written Response on Notarized Affidavit regarding the Complaint Petition and Affidavit of the Complainant, annexing therewith notary attested/self-attested copy of supporting documents, if any, and send the Affidavit (in original) to the Authority, serving a copy of the same to the Complainant, both in hard and scan 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.

Respondent is further directed to submit a Refund Schedule in his Affidavit specifically mentioning the number and amount of installments by which they shall refund the Principal Amount of Rs.3,63,750/- alongwith interest at the rate of SBI PLR+2% per annum for the period starting from the respective dates of payments made by the Complainant


till the date of realization.

Respondent is also directed to start payment as per their Refund Schedule and payment shall be made by bank transfer to the bank account of the Complainant.

The Complainant shall send his bank account details to the Respondent through email within **3 days** from the date of receipt of this order of the Authority through email.

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

Fix **25.10.2024** for further hearing and order.


(BHOLANATH DAS)
Member

West Bengal Real Estate Regulatory Authority


(TAPAS MUKHOPADHYAY)
Member

West Bengal Real Estate Regulatory Authority