

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

Complaint No.WBRERA/COM000776

SomenathBhattasali..... Complainant

Vs.

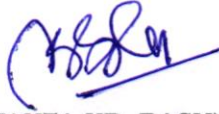
Bagaria Realty LLP..... Respondent

Sl. Number and date of order	Order and signature of the Authority	Note of action taken on order
04 07.04.2026	<p>Complainant, Somenath Bhattasali along with UpasanaBhattasali is present in the hearingphysically, signing the attendance sheet.</p> <p>Respondent is represented by Learned Advocate Mayuri Ghosh along with Mr. Goutam Gupta present in the hearing through the online mode. He has submitted his hazira and authorization letter. She is directed to submit her vakalatnama immediately.</p> <p>Complainant submitted that he seeks interest from the respondent for providing him possession of the flat beyond the completion date as agreed upon in the Agreement for Sale between the parties.</p> <p>The learned Advocate for the respondent refers to the Clause 7.1 of the Agreement for Sale between the parties, the project being registered with WBHIRA vide Registration number HIRA/P/NOR/2018/000233 allow for 6(six) months grace period beyond the possession date on 30/09/2022. Further the instant6 project was given extension for a period of 9 months vide Form 3 dated 15/10/2020 due to the Covid pandemic as a Force Majeure. The respondent was granted extension upon application from the respondent promoter vide Form F from 04/12/2018 to 31/08/2024.</p> <p>The Complainant received the possession letter from the Respondent on 26<sup>th</sup> September 2024 (Annexure-D of the Respondent notarized written objection). Complainant is entitled to get compensation for delayed possession of the apartment from 1st January 2024 to 26<sup>th</sup> September 2024.</p> <p>The Authority is pleased to give the following directions-</p> <p>a.) The Respondent shall pay the Complainant homebuyer interest for providing him possession of the flat beyond the completion date as agreed upon in the Agreement for Sale between the parties for the aforesaid period from 1st January 2024 to 26<sup>th</sup> September 2024at the rate of SBI Prime Lending Rate + 2% within <b>45(forty-five) days</b> of the receipt of this order.</p>	

b.) The Complainant is directed to share his bank account details with the Respondent within a week's time of the receipt of this Order.

Let the order be served upon the parties.

The instant complaint is here by disposed of.



(JAYANTA KR. BASU)

Chairperson

West Bengal Real Estate Regulatory Authority



(TAPAS MUKHOPADHYAY)

Member

West Bengal Real Estate Regulatory Authority