

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

Complaint No. WBRERA/COM-000052

Ranadeep Sarkar,
Koyel Chakraborty Alias Koyal Sarkar

.....Complainants

Vs.

M/s. Cancun Construction

.....Respondent

Sl. Number and date of order	Order and signature of Officer	Note of action Taken on order
1 ----- 24.04.2023	<p>Advocate Proteek Debnath is present in the online hearing filing hazira through email.</p> <p>Respondent is absent despite due service of notice.</p> <p>Heard the Complainants in detail.</p> <p>The Complainants have booked a 2BHK flat bearing No. B6/007, approximately 900 Sqft., on the 11th Floor of the project named 'Cancun Skylark' of the Respondent Company. Agreement for Sale was executed between the parties and in terms of the said Agreement for Sale, the Respondent was liable to complete the construction of the project and handover the possession of the said residential flat within a period of 36 (thirty-six) months from the date of sanctioned of the building plan from the concerned authority which was further extension of 6 (six) months. The period expired on 17.01.2020 and the Respondent had failed to deliver the said flat within the stipulated time of 17.01.2020.</p> <p>The Complainant prays before the Authority for relief of refund of the balance amount of the Principal amount paid by him</p>	

of Rs.17,68,581/- (Rupees seventeen lakhs sixty eight thousand five hundred eighty-one) only from the Respondent along with interest @18% per annum to be calculated from the date of every actual payment till the award to be worked out on daily basis.

After hearing the Complainant, the Authority is satisfied to admit this matter for further hearing and order.

The Complainant is hereby directed to submit his total submission regarding this Complaint Petition on a Notarized Affidavit and a signed copy of the Complaint Petition, annexing therewith notary attested supporting documents, if any, and send the original to the Authority serving a copy of the same to the Respondent, both in hard and soft copies, within 21 days from the date of receipt of this order through email.

The Respondent is directed to submit his Written Response to the Complaint Petition on a Notarized Affidavit, annexing therewith notary attested supporting documents, if any, and send the original to the Authority serving a copy of the same to the Complainant, both in hard and soft copies, within 21 days from the date of receipt of the Affidavit of the Complainant.

Respondent is further directed to give explanation with reasons for Registration of subject matter project in the name of 'Skylark' under erstwhile WBHIRA and giving bookings of the same project in the name 'Cancun Skylark'.

Fix 04.07.2023 for next date of online hearing and order.



(SANDIPAN MUKHERJEE)

Chairperson

West Bengal Real Estate Regulatory Authority



(BHOLANATH DAS)

Member

West Bengal Real Estate Regulatory Authority



(TAPAS MUKHOPADHYAY)

Member

West Bengal Real Estate Regulatory Authority