

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

Complaint No. WBRERA/COM000307 (Physical)

Snehab Poddar.Complainant.

Vs.

1. Ranjita Scapes and Designs Pvt. Ltd.
2. Bharat Bagla (Director),
3. Abhishek Bagaria (Director).

..... Respondents.

Sl. Number and date of order	Order and signature of Authority	Note of action taken on order
01 03.12.2025	<p>The Complainant, Snehab Poddar, represented by the Learned Advocate Jatan Monga (Ph. 9051588548 email ID : mongajatan@gmail.com) appeared physically at the time of hearing of the instant Complaint. He has filed hazira and he is hereby directed to submit vakalatnama online or physically which shall be kept in record.</p> <p>The Respondent No. 1, Ranjita Scapes and Designs Pvt. Ltd. is absent and Respondent No. 2, Bharat Bagla (Director) and Respondent No. 3, Bharat Bagla (Director) represented by the Learned Advocate, Sudarshan Bhattacharjee is present online at the time of hearing. He has filed hazira and vakalatnama online or physically which should be kept in record.</p> <p>The Learned Advocate appearing on behalf of the Complainant submitted that the Complainant entered into a registered Agreement for Sale dated 22/4/2016 in order to purchase Flat No. 3A, measuring about 1,532 Sq. Ft. at 3rd Floor of Block I with one covered car parking space at Uptown One. The Complainant booked the said flat by making the first payment on 19th April, 2013. Whereas, the Respondent did not complete the construction of the building orf the site within the stipulated time and seized communication with the Complainant. After a lot of effort the complainant got in touch with the Respondents and they asked the Complainant to complete the entire payment which would help them in completing and delivering the possession within six months. Accordingly the Complainant took a loan from HDFC Bank and made full payment to the Respondents on 29th April, 2016. The Respondents have not completed the said project but they have taken the entire money from the Complainant.</p> <p>The Learned Advocate for the Complainant prayed for the following relief(s):-</p> <p>i. That the Respondents be directed to hand over the said completed flat to the</p>	

Complainant within 15 days or the money paid to the Respondents to be returned back to the Complainant with interest from the date of payment till the actual realization;

ii. The Respondent Nos. 2 and 3 to be brought before this Tribunal and explain why they had ceased communication with the Complainant after receiving full payment.

The complainant prayed for the following interim relief(s) :-

i. The Respondents may be directed to provide of an alternate accommodation equivalent in size of the said unit till the matter is adjudicated by this Tribunal;

ii. The Respondents be directed to pay for the delay in delivering the said flat to the Complainant.

The Learned Advocate appearing for the Respondent Nos. 2 and 3 prayed for filing his Written Objection and to contest the Complaint.

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:-

A). The Complainant is directed to submit his total submission regarding the Complaint Petition on a Notarized Affidavit annexing therewith notary attested /self-attested 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 Respondents, both in hard and soft copies, within **2 (two) weeks** from the date of receipt of this order of the Authority by email.

B).The Respondents are hereby directed to submit his Written Response on notarized affidavit regarding the Complaint Petition and Affidavit of the Complainant, annexing therewith notary attested/self-attested supporting documents, if any, and further to mention therein if the Project is registered under erstwhile WBHIRA or WBRERA by sending the attested copy of the Registration Certificate and if not registered explaining the reasons why the same has not been done and send the Affidavit (in original) to the Authority serving a copy of the same to the Complainant, both in hard and soft copies, within **2 (two) weeks** from the date of receipt of the Affidavit of the Complainant either by post or by email whichever is earlier.

C).The Respondents are hereby directed not to alter the rights and interests of the complainant or create any third party interest by transferring and/or alienating the said Flat No. 3A at 3rd Floor of Block I with one covered car parking space at Uptown One, in any manner whatsoever, till the disposal of the instant complaint or the delivery of possession of the flat to the Complainant.

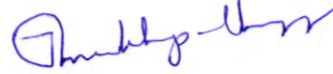
The next date of hearing is **8 (eight) weeks** from date.



(JAYANTA KR. BASU)
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