

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

Complaint No. WBRERA/COM (physical) 000309

Sidhartha Bhar Complainant

Vs

OM Construction. Respondent

Sl. Number and date of order	Order and signature of the Authority	Note of action taken on order
01 <u>03.12.2025</u>	<p>Complainant along with Advocate Aveek Biswas (mobile no:- 9433109998 email:- counselbiswas@gmail.com) is present in today's hearing physically by filing vakalatnama and signing the attendance sheet.</p> <p>Respondent is absent in today's hearing, without any prior intimation, despite due service of hearing notice through email.</p> <p>Heard the Complainant in detail.</p> <p>Learned Advocate appearing on behalf of the Complainant submitted that Complainant entered into an Agreement for Sale on 07.02.2022. Out of total consideration amount of Rs. 46,00,000/- for purchasing the flat, Complainant paid Rs. 29,28,000/- in installments to the Respondent Promoter. Further on site visit Complainant noticed deviation in the allotted flat and also sanction plan being flouted. As such, he initiated cancellation of Agreement for Sale. Till to date Respondent Promoter refunded Rs. 26,00,000/- but in spite of several communication to the Respondent the Complainant is yet to receive the balance amount of Rs. 3,28,000/-.</p> <p>The Complainant seeks refund of the said amount for which he submitted his complaint in Form-M along with applicable interest as per provision of Act.</p> <p>After hearing the Complainant, 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: -</p> <p>The Complainant is directed to submit his total submission regarding their 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 Respondent, both in hard and soft copies, within 14 (fourteen) days from the date of receipt of this order of the Authority by email.</p>	

The Respondent is hereby directed to submit their 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 send the Affidavit (in original) to the Authority serving a copy of the same to the Complainant, both in hard and soft copies, within **14 (fourteen)** days from the date of receipt of the Affidavit of the Complainant either by post or by email whichever is earlier.

Fix **after 6(six) weeks** for further hearing and order.



(JAYANTA KR. BASU)

Chairperson

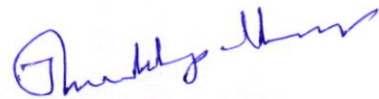
West Bengal Real Estate Regulatory Authority



(BHOLANATH DAS)

Member

West Bengal Real Estate Regulatory Authority



(TAPAS MUKHOPADHYAY)

Member

West Bengal Real Estate Regulatory Authority