

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/COM 001514

Manoj Roy ..... Complainant

Vs

Snigdhaner Construction ..... Respondent

Sl. Number and date of order	Order and signature of the Authority	Note of action taken on order
01 18.02.2026	<p>Advocate Soma Chakraborty (mobile no:- 9331247633 and email id:- <a href="mailto:somalawsinghania@gmail.com">somalawsinghania@gmail.com</a>) is present in today's hearing physically on behalf of the Complainant and signed the attendance sheet. She is directed to submit her vakalatnama immediately after today's hearing.</p> <p>Advocate Priti Gupta (mobile no:- 9331247633 and email id:- <a href="mailto:adv.pritigupta03@gmail.com">adv.pritigupta03@gmail.com</a>) is present in today's hearing physically on behalf of the Respondent by filing vakalatnama and signing the attendance sheet.</p> <p>Heard both the parties in detail.</p> <p>The Complainant stated that he is the owner of an un demarcated and undivided land measuring about 1 cottah 8 chittacks comprised in Rs. Dag No. 232 recorded in Rs. Khatian No. 33, situated within Mouja- Balia, JL No. 46 and had exerted his right over the suit schedule land before the Court of Law in order to protect his interest therein. As a result of which the Hon'ble Justice Dipankar Dutta vide order date 12.05.2016 in WP No. 8238 (W of 2016) was pleased to protect the right title and interest of the Writ over Rs. dag no. 232. Subsequently the Complainant after coming to know that the Respondents has obtained the revised Sanction Plan in the year 2015 from the Rajpur-Sonarapur Municipality on behalf of the Land owners by suppressing the ad-interim order of injunction passed by Ld. Civil Court on 30.08.2013 and by suppressing the revised Sanction Plan had obtained an order dated 12.05.2016, preferred an appeal before the Hon'ble Division Bench of High Court at Calcutta. It will also be evident from the orders that has been passed time to time by this Hon'ble High Court, the effect of the order dated 12.05.2016 passed by the Hon'ble Justice Dipankar Dutta has never lost its force and after series of litigations, lastly vide order dated 24.08.2023 passed by the Hon'ble Justice Arijit Banerjee and Hon'ble Justice Apurba Sinha Ray in NAT No.1506 of 2023, it was categorically directed to the Municipality that it will take decision in the mater in accordance with law and in accordance with different orders of the Court. The Chairman Rajpur-Sonarapur Municipality, in spite of the orders, passed by the Hon'ble High Court has acted illegally, irrationally and caused injustice to the Complainant for not passing an order of demolition of the building constructed over Rs. Plot No. 232.</p>	

The Complainant further stated during oral submission before the Authority that the matter is under adjudication of the Hon'ble Supreme Court at present.

The Complainant prays before the Authority to initiate necessary actions to cancel the registration of the project Sheraton Towers Registration No. HIRA/P/SOU/2020/000757, as per section 7 of the Real Estate (Regulation and Development) Act, 2016, which is crucial to safeguard the lawful rights and interest of the homebuyers of the subject project.

The Advocate of the Respondent stated that they have not received any documents including the complaint petition from the Complainant and prayed before the authority to direct the Complainant to serve a copy of the same to the respondent so that they can submit their reply accordingly.

After hearing the Complainant, the Authority is here pleased to give the following directions: -

- A. 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 **15 (fifteen)** days from the date of receipt of this order of the Authority by email.
- B. 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 same (in original) to the Authority serving a copy to the Complainant, both in hard and soft 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.

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



(JAYANTA KR. BASU)

Chairperson

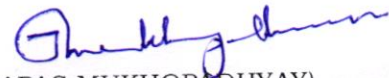
West Bengal Real Estate Regulatory Authority



(BHOLANATH DAS)

Member

West Bengal Real Estate Regulatory Authority



(TAPAS MUKHOPADHYAY)

Member

West Bengal Real Estate Regulatory Authority