

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

Complaint No.WBRERA/COM000947

Srikanta Sen Complainant

Vs.

Sreema Vision Enterprise Respondent no. 1

Sanjay Kumar Demblani Respondent no.2

Rohit Demblani Respondent no.3

Chandan Das Respondent no.4

Sl. Number and date of order	Order and signature of the Authority	Note of action taken on order
02 09.07.2025	Advocate Jayita Prasad (email:- jayita.prasad@gmail.com) is present in the hearing on behalf of the Complainant through online mode filing hazira and vakalatnama through email. Both Respondent no.1 & Respondent no.2 are absent in today's hearing, despite due service of hearing notice through email. Respondent no.3 & Respondent no.4 are present in the hearing through online filing hazira. The Complainant submitted Affidavit as per order of the Authority. No Affidavit has been submitted by Respondent no.1, and Respondent no. 2. Respondent no.3 & Respondent no.4 submitted their Affidavit in response to the Affidavit of the Complainant. Heard both the parties. Respondent no.3 & 4 stated that Respondent no.2, Shri. Sanjay Kumar Demblani, one of the directors of the Respondent Company is not cooperating with the other directors violating the terms and conditions of the Partnership Agreement, for which smooth running of partnership business is badly affected and in spite of earnest will to give relief to the Complainant along with other Allotees, the Respondent No.3 and 4 are not in a position to perform their part in doing so. They also stated that the matter of operating Bank Account of the Partnership Fund has been suspended due to non-cooperation and non-signing of paper, cheques etc. by the Respondent no.2 Shri. Sanjay Kumar Demblani. They further stated that a Civil Suit (TS no. 751 of 2023) is pending before the	

Ld. 1st Court of Civil Judge (Junior Division) at Barasat over the dispute of the Development Agreement signed among the parties.

Respondent no.3 & 4 prayed before the Authority to direct the Respondent no.2, Shri. Sanjay Kumar Demblani, one of the directors of the Respondent Company to cooperate with the Respondent no.3 & 4 i.e. the other directors, in the matter of smooth running of partnership business and also in the matter of operating the bank account of partnership firm so that all the disputed matters as stated in the instant complaint petition may be solved. If it is not permissible in law they have to wait for the decision of the competent Civil Court.

The Advocate of the Complainant stated that the submissions made by Respondent no.3 & 4 are totally their internal disputes in the partnership business, for which, the Complainant allottees cannot suffer. Hence, she prayed before the Authority to pass appropriate order protecting the rights for her clients as per provision of RERA Act.

After hearing both the parties and going through the Affidavits submitted by the Complainant and the Respondent no.3 & 4, the Authority is of the opinion that the disputes between the directors in running the partnership business cannot be a ground for non-completion of the works causing inconvenience to the Complainant allottees who are entitled to get their property including all amenities in proper time as per provisions of the Agreement for Sale and also, provisions of RERA Act.

Hence, the Authority is pleased to give the following directions:-

- A. The Respondent company shall positively complete the entire project as per sanction plan and provision of the Agreement for sale within four months from the date of receiving this order by speed post or by email whichever is earlier.
- B. The Respondent no.2, 3 & 4 will play their respective role effectively as director of the Company towards completion of the project within the timeline as fixed by the Authority.

With this direction the instant matter is hereby disposed of.

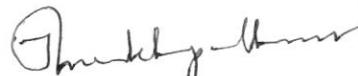
Let copy of this order be served to both the parties immediately.



(BHOLANATH DAS)

Member

West Bengal Real Estate Regulatory Authority



(TAPAS MUKHOPADHYAY)

Member

West Bengal Real Estate Regulatory Authority