

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

Complaint No. WBRERA/COM001166

Goutam Sarkar..... Complainant.

Vs.

Bubble Dealcom Private Ltd. Respondent.

Sl. Number and date of order	Order and signature of Authority	Note of action taken on order
02 07.05.2025	The Complainant, Goutam Sarkar appeared physically and he submitted hazira. The Respondent, Bubble Dealcom Private Ltd. (wrongly mentioned as XYZ by the Complainant) is absent at the time of hearing. Let the track record of due service of hearing notice of the Respondent be taken on record. The Complainant have submitted a Notarized Affidavit dated 07.03.2025, containing their total submission regarding this Complaint Petition, which has been received by this Authority on 13/03/2025, as per the last order of the Authority dated 27.02.2025. Let the said Notarized Affidavit of the Complainant be taken on record. The Respondent did not submit any Written Response till date in non-compliance with the last order of the Authority dated 27.02.2025. Heard the Complainants in detail. The Complainant stated at the time of hearing that although the notarized Affidavit was sent to the Respondent by the Complainant the same has been received back by the endorsement "Refused". The Complainant stated that the Agreement for Sale was made on 02.07.2017 and the Sale Deed was made on 19/01/2018 and after that the Complainant has taken possession of the said flat but no possession letter, completion certificate, occupation certificate and car parking allotment letter were given to the Complainant. The Respondent has not registered the project under WBRERA or WBHIRA. The Complainant proposed to add Mr. Arun Kumar Agarwala as the Respondent No. 2 as all the relevant papers regarding the flat has been signed by him. The Complainant stated that the Respondent has	

stopped the generator connection and other common facilities are unavailable. The complainant also stated that the Respondent is ignoring the solemn order of this Authority willfully. No Association of the Allottees has been made.

The Complainant wanted to add Smt. Kaberi Sarkar, his wife as the Complainant No. 2 in the instant proceeding.

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

- a) Mr. Arun Kumar Agarwala, 46, B. B. Ganguly Street, 4th Floor, Room 10, Bowbazar, Kolkata – 700 012, West Bengal, E-mail krm.kaina@gmail.com, Phone No. 7001310700 should be added as Respondent No. 2; and
- b) Smt. Kaberi Sarkar, wife of Complainant No.1 be added as Complainant No.2 in the instant proceeding; and
- c) The Respondents is hereby given the last chance/opportunity to submit his Written Response on a notarized affidavit to the Complaint Petition, the Affidavit (in original) to the Authority, serving a copy of the same to the Complainant, both in hard and soft copies, within **10 (ten) days** from the date of receipt of the Affidavit of the Complainant dated 10.03.2025, containing total submission of the Complainant regarding this Complaint Petition, as per the last order of the Authority dated 27.02.2025, by him either by post or by email and enclose certified copy of the Registration certificate from erstwhile WBHIRA/WBRERA, whichever is earlier; and
- d) The Respondents is also directed to appear physically on the next date of hearing to show cause as to why penalty under Section 63 of the Real Estate (Regulation and Development) Act, 2016 should not be imposed upon the Respondent for not complying with the earlier Order 1 dated 27.02.2025 . Further they are directed to show cause why Section 60 and Section 61 be not invoked against him for not complying to the RERA Act 2016 and WBRERA Rules 2021 as mandated.
- e) Also as prayed by the complainant, the respondent is directed to submit if the Completion certificate/ Occupancy certificate is received for this Project from the Sanctioning Authority and other legal documents shared with the complainant allottees per the provisions as mandated by the RERA Act 2016 and WBRERA Rules 2021.
- f) The Complainant is also directed to submit an Affidavit of Service to the Authority before the next date of hearing.

g) The complainant have to file an application for seeking compensation for mental agony and harassment as stated by him before the Adjudicating Authority in **form N** as detailed in the WBRERA Rules 2021.

Fix next hearing **6(six) weeks from this date** for order.



(JAYANTA KR. BASU)
Chairperson
West Bengal Real Estate Regulatory Authority