

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 Pvt. Ltd. Respondent.

Sl. Number and date of order	Order and signature of Authority	Note of action taken on order
03 11.07.2025	The Complainant, Goutam Sarkar appeared physically and he submitted hazira, which should be kept in record. The Respondent, Bubble Dealcom Pvt. Ltd is represented by the Learned Advocate, Sreyesh Kumar Singh and Mr. Arun Kumar Agarwal, the Managing Director of the Respondent company appeared physically at the time of hearing by filing hazira and vakalatnama by the Learned Advocate which should be kept in record. Let the track record of due service of hearing notice of the Respondent be taken on record. The Complainant has filed his Notarized Affidavit earlier the copy of which has already been received by the Respondent also. The Respondent has submitted Written Objection dated 20.6.2025 in response to the Complaint Petition as per the last order of the Authority dated 27.02.2025 along with a Reply to the Show cause, which have been received by this Authority on 24.06.2025. Let the said Notarized Affidavit of the Complainants be taken on record. Heard the Complainant in details. Today the hearing of Complaint Nos. 001165, 001166, 001167 and 001168 are taken jointly and the complainant of the instant cases are identical but the Respondent is same and the cause of action of the Complainants are same. Both sides were asked whether the filing of the Affidavit and Affidavit-in-Opposition as per the Order Nos. 1 and 2 have been done and received by them they all agreed that the same has been done. In today's hearing the complainant raised the following matters once again	

a) The Complainant invested and paid a huge amount for possession of the Flat amount to Rs.21,00,000/- approximately for possession of a dwelling home which he is now possessing and staying after executing the Deed of Conveyance with the Respondent. In spite of this no other Certified copies of Legal Documents connected with the Flat is provided by the Respondent/Promoter. In this connection the Respondent said that all relevant documents will be immediately provided except CC/OC/Partial O.C. In this connection he also admitted and informed that this project is not registered with erstwhile WBHIRA or WBRERA and thereby the Respondent has violated Sections 3,4, 11 and 14 of the RE(R&D) Act, 2016 and the Respondent has also violated the notices and Orders No. 1 dated 27.2.2025 and Order No. 2 dated 07.05.2025 accordingly the Authority issues show cause upon the Respondent to explain why the Penalties under Section 59,60, 61 and 63 of the RE(R&D) Act, 2016 shall not be invoked against the Promoter.

b) The Complainant also submitted that various correspondence including the hard copy of the Affidavit submitted to the Respondent in his official address have been refused and returned back undelivered. The Learned Advocate for the Respondent submitted before the Authority that he shall inform the proper address for correspondence after seeking instruction from his client and also submitted before the Authority to issue instruction to serve such documents undelivered to be physically handed over the Respondent. The Learned Advocate mentioned the address of the Respondent is "Arun Kumar Agarwal, Vetera Mahal, Post Office – Kalna, District – Purba Bardhaman, Pin – 713409, Phone No. 7001310700".

c) The Complainant also submitted before the Authority that in the Deed of Conveyance no earmark of car parking has been mentioned except stating that 100 Sq. ft. area for car parking has been allotted to the Complainant. The Authority questioned the Respondent that if it has been included through demarcation in the Deed of Conveyance which was admitted to that has not been done. The Respondent is directed to address the matter lawfully and inform the Authority accordingly.

d) The Complainant submitted that the location of Commercial Block is being violated by the Respondent which was responded by the Learned Advocate for the Respondent that revised sanctioned plan has been adhered to and will be shared with the Complainant.

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

- a) The Complainant is directed to submit Supplementary Affidavit, if any, in addition to his earlier submission through his Affidavit dated 20.06.2025 with respect to the Affidavit in Opposition filed by the Respondent and any matter related to the Complaint filed in Form 'M' before this Authority and to the Respondent also both in hard and soft copies, within **2 (two) weeks** from the date and to file Affidavit of Service thereto also to be placed before the Authority; and

a) The Respondent is also directed to show cause as to why penalty under Sections 59, 60, 61 and 63 of the Real Estate (Regulation and Development) Act, 2016 should not be imposed upon the Respondent for not abiding by Sections 3,4, 11, 14, and willful noncompliance with the Authority's earlier Orders dated 27.02.2025 and 07.05.2025 and to file Written Objection upon receipt of the Supplementary Affidavit, if any, filed by the Complainant along with submissions on the above matters vide (a) to (d) submitted by either party in today's hearing proceedings and his Written Argument as submitted by him to file before the Authority within 2 (two) weeks from date;

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



(JAYANTA KR. BASU)
Chairperson

West Bengal Real Estate Regulatory Authority