

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

Complaint No.WBRERA/COM001271

Arun Sharma..... Complainant
Vs.

Ankur Nirman Private Limited..... Respondent

Sl. Number and date of order	Order and signature of the Authority	Note of action taken on order
03 16.10.2025	The Complainant, Arun Sharma, represented by the Learned Advocate, Pratip Mukherjee, Purnankar Biswas is present physically and the in the instant hearing today. They have filed hazira which should be kept in record. The Respondent, Ankur Nirman Private Limited is represented by the Learned Advocates, Soumyadeb Sinha and Suranjana Chatterjee online by sending hazira and Vakalatnama online which should be kept in record. The Respondent today submitted a Notarized Affidavit in response dated 15.10.2025, containing total response upon receipt of Notarized Affidavit dated 29.07.2025 from the Complainant as per the last order of the Authority dated 23.05.2025, which has been received by this Authority today on 16.10.2025. The Complainant have submitted a Notarized Affidavit dated 29.07.2025, containing total submission regarding this Complaint Petition, as per the last order of the Authority dated 23.05.2025, which has been received by this Authority on 20.08.2025. The Complainant's Advocate stated that the Complainant is Yet to the benefit from the respondent. He also submitted that the respondent has ignored to comply with the direction issued vide the order 2 dated 1st September 2025 for submitting affidavit in response within one week after non complying with the order number 1 dated 23rd May 2025 and liable to be penalized for his dilatory behaviour of delaying the hearing of the complaint proceeding of his client as mandated by the RE(R&D) Act 2016 . The Complainant's Advocate further submitted that the instant project is not having valid registration certificate issued by the erstwhile WBHIRA/WBRERA. Learned Advocates, Soumyadeb Sinha for the Respondent admitted that the instant project is nearing completion and yet to receive the completion certificate from the Sanctioning Authority and do not have valid Registration Certificate from the WBRERA. He also placed on record his submission that the position and status of the complainant regarding portion of	

his allotment has remained intact and in no manner the other direction upon the respondent has been violated as submitted by the complainant and the Respondent is unable to complete the construction within 23rd May, 2025. The Complainant issued the notice of termination only to press the Respondent for delivering the Complainant as owner's allocation as per Schedule "B" as described in page 147 of his Affidavit. He also stated that the Respondents are selling the flats to outsiders by violating the Interim Order as passed in the Order No. 1 dated 23/05/2025 but not delivering the owner's allocation. The Learned Advocate also raised the question of registration of the project under RERA as the same is not registered. The Learned Advocate also prayed for Compensation for delay in delivery of possession.

The Respondent's Learned Advocate prayed for 4 weeks time to file the Written Response. He stated that he has received the Affidavit of the Complainant on 10th July, 2025. He also stated that the Complainant has sent the termination letter of the Development Agreement and the same is challenged before another forum. The Learned Advocate for the respondent stated that he is not aware of selling of flats by violating the Order No. 1 dated 23.05.2025. The Learned Advocate for the Respondent stated that the project is registered under WBRERA and he undertakes to submit the registration related papers along with his Affidavit in Response. With regard to compensation for delay in delivery, if at all, the Learned Advocate stated that the same can be decided by the Authority after proper adjudication.

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

- a) The Complainant is also directed to file Rejoinder Affidavit with regard to the Written Response filed by the Respondent today , if any, before this Authority as well as to the Respondent both in hard copy and soft copy within **1(one) week** after receiving the same; and
- b) The Respondent is hereby directed to submit his Written Response within **1(one) week** from receiving the Complainant's Rejoinder Affidavit, if any, along with show cause as to why the Respondent should not be penalized under **Section 63** of the Real Estate (Regulation & Development) Act, 2016 for non-compliance of the Authority's earlier directions; and submit document/s to establish that the project is been constructed and developed abiding by **Section 3, 4 of the RE(R&D) Act 2016 and WBRERA Rules 2021.**
- c) The Ad-interim issued vide Order No. 1 dated 23.05.2025 is extended till the next hearing of the instant Complaint or the disposal of the instant

complaint.

Fix after **3 (three) 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