

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

Complaint No.WBRERA/COM-000091

Amarnath Banerjee..... Complainant

Vs.

Rajib Halder..... Respondent

| Sl. Number and date of order | Order and signature of Officer | Note of action taken on order |
|------------------------------|--|-------------------------------|
| 04 05.10.2023 | <p>Complainant is present in the online hearing filing hazira through email.</p> <p>Advocate Nawal Kishore Chatterjee is present in the online hearing on behalf of the Respondent. He is directed to send his hazira immediately to the Authority through email.</p> <p>Heard both the parties in detail.</p> <p>The Complainant has submitted a Notarized Affidavit dated 11.09.2023, containing a prayer for inclusion of the legal heirs of his brother Dilip Kumar Banerjee, since deceased in the instant complaint case as per the last order of the Authority dated 01.08.2023., which has been received by this Authority on 12.09.2023.</p> <p>Let the said affidavit of the Complainant be taken on record.</p> <p>The Complainant also submitted a Rejoinder dated 04.10.2023 against the Written Response as per the last order of the Authority dated 01.08.2023, which has been received by this Authority on 04.10.2023.</p> <p>Let the said Rejoinder of the Complainant be taken on record.</p> <p>After examination of the Affidavits submitted by both the parties and after hearing both the parties through online hearing, this Authority is of the considered view that this matter is relating to Development Agreement between the Complainants and the Respondent. There is no Agreement for Sale executed between the parties. No consideration amount has been paid by the Complainants to the Respondent. Both the parties got their rights and obligations from the Development Agreement which is outside the purview of the Real Estate (Regulation and Development) Act, 2016.</p> | |

Therefore, the Authority is hereby pleased to close and dismiss the matter.

The cost of Rs.10,000/- (Rupees ten thousand only) already paid by the Complainant, shall be refunded to the Complainant by the Authority.

The Complainant is directed to send his Bank Account details to the Authority within 15 days from the date of receipt of this order of the Authority in which account the above mentioned amount shall be refunded.

With the above directions the matter is hereby disposed of.

Let the copy of this order be served to both the parties by email and also by speed post immediately.



(SANDIPAN MUKHERJEE)
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