

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

Complaint No.WBRERA/COM 001176

Ambuja Neotia Hotel Ventures Limited Complainant

Vs.

Abha Jain Respondent

Sl. Number and date of order	Order and signature of the Authority	Note of action taken on order
03 10.10.2025	Mr. Abhijit Singh, Legal Manager of the Complainant Promoter Company (email id - abhijit.singh.adv@gmail.com) is present in today's hearing physically on behalf of the Complainant and signed the Attendance Sheet. Respondent is absent in today's hearing, without any intimation, despite due service of hearing notice. No Affidavit has been submitted by the Respondent, in spite of specific order dated 27.02.2025 and also on 24.07.2025. The Complainant submitted an Affidavit of service as per Authority order dated 24.07.2025 which shall be kept in record. The Respondent was given last chance to submit their Affidavit in response to the Affidavit of the Complainant and also informed that if she fails to submit Affidavit and or remains absent even in the next date of hearing, this matter shall be heard Ex-parte for issuance of order. In spite of the same she did not submit any Affidavit nor remained present in today's hearing. As such, this Authority is proceeding today with Ex-parte hearing. After going through the Affidavits and other documents submitted by the Complainant the Authority finds that the Respondent only paid Rs. 3,50,000/- at the time of booking plus GST totalling to a sum of Rs. 3,67,500/- and entered into an Agreement for Sale on 08.09.2021 but Respondent did not make any payment towards subsequent demands raised by the Complainant in respect of the consideration value of the property and was thereby under complete default as per terms and condition of the Agreement for Sale as well as the provisions under Real Estate(Regulation and Development) Act, 2016.	

Now, the Authority is hereby pleased to give the following directions:-

This Authority has no objection if the Agreement for Sale executed between the parties on 08.09.2021 in regard to Unit no. Gardenia-II, Palm Cove D6 (Surabhi Extension) on the Ground Floor, of Type D of the Palm Cove Project, is cancelled by the Complainant unilaterally with forfeiture of booking amount and refunding the balance amount, if any, paid by the Complainant as per the Agreement for Sale executed between the parties on 08.09.2021, within 45 days from the date of receipt of this order of the Authority through email.

The Deed of Cancellation of the said Agreement for Sale may be registered unilaterally by the Complainant.

The concerned Additional District Sub-Registrar of South 24 Pargana District is directed to take necessary steps for de-registration of the said Agreement for Sale by the Complainant unilaterally.

After termination of the Allotment of the Respondent and cancellation of the Agreement including de-registration of the same, the Complainant shall be at liberty to allot the flat to any other Person.

With the above directions the matter is hereby disposed of.

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



(JAYANTA KR. BASU)

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