

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

Complaint No. WBRERA/COM001361

Sahomina Banu Complainant

Vs.

Janapriyo Real Estate Pvt. Ltd.. Respondent

Sl. Number and date of order	Order and signature of Authority	Note of action taken on order
01 01.07.2025	The Complainant, Sahomina Banu appeared physically and she submitted that she has authorized her husband, Md. Liakat Hossain to represent her in this Complaint. They have submitted hazira, and Authorization letter which should be kept in record. The Respondent, Janapriyo Real Estate Pvt. Ltd represented by the Learned Advocate, Mainak Chandra who appeared online by filing hazira. He is directed to file Vakalatnama online or physically before this Authority which he confirmed after the hearing, the same to be kept in record. Today is the Admission hearing. The Md. Liakat Hossain husband of the Complainant submitted that the year 2012 the Respondent showed him a plot of land in the project Kalyani City Enclave and suggested to purchase a Plot @ Rs.2,35,000 per Cottah and as per said arrangement the Respondent took at them physically to the spot. The Complainant agreed to pay Rs.6,58,000/- for purchasing a Plot of land measuring 2.8 Cottah after that as per the demand raised off and on different occasions on pretext of signing Agreement. The Complainant paid Rs.4.5 Lakh by Cheque on different dates and instalments. However, as on date the Complainant has not received the possession of the said Plot of land at the project Kalyani City Enclave. The Complainant seeks delivery of the plot of land along with compensation for harassment. The Learned Advocate appearing on behalf of the Respondent submitted that the Complainant does not have locus standi in filling this Complaint before the Authority because his client, the Respondent has already delivered the said Plot of Land at the project Kalyani City Enclave with legal documents in 2013 so he questioned about the maintainability of the instant Complaint filed by the Complainant before this Authority. The Respondent's Lawyer drew the attention of the Authority to point No. 9 in Form 'M' and informed that his client has already deliver the said plot of land with all legal documents and it is upon the Complainant to submit copies of all other documents during submission of their Affidavit. In this the Authority made it clear that this point being raised by the Respondent, it will be the responsibility of the Respondent to establish the	

submission made by the Learned Advocate appearing on behalf of the Respondent by enclosing the Certified Copy of the legal documents which he is referring in today's submission to have been handed over during the delivery of the plot to the complainant. The Complainant submitted that he purchased the plot of land in a complete residential township shared by the Respondent having provision of several facilities to be provided to the buyers of the plot from him. However, apart from the piece of land there is no development. The Complainant also drew the attention of this Authority to the Gazette Notification No. 2255-Tand CP/C-2/1C-3/2005(II) dated 27th October, 2008 issued by the Nagarayan, Urban Development Department, Govt. of West Bengal and by referring to this particular Gazette to this Authority he also sought from the Respondent's Advocate whether his client has got sanction/permission for the instant project from the concerned Government Department/s apart from the above referred notification.

After hearing both the parties, the Authority is pleased to admit this matter for further hearing and order as per the provisions contained in Section 31 of the Real Estate (Regulation and Development) Act, 2016 read with Rule 36 of the West Bengal Real Estate (Regulation and Development) Rules, 2021 and give the following directions:-

The Complainant is directed to submit her total submission regarding the Complaint Petition on a Notarized Affidavit mentioning details of complaint and the reliefs sought for annexing therewith notary attested /self-attested copy of supporting documents and a signed copy of the Complaint Petition Form 'M' and send the Affidavit (in original) to the Authority serving a copy of the same to the Respondent, both in hard and scan copies, within **2 (two) weeks** from the date of receipt of this order of the Authority by email.

The Respondent is hereby directed to submit his Written Response on notarized affidavit regarding the Complaint Petition and Affidavit of the Complainant, annexing therewith notary attested/self-attested copy of supporting documents, if any, and send the Affidavit (in original) to the Authority serving a copy of the same to the Complainant, both in hard and scan copies, within **2 (two) weeks** from the date of receipt of the Affidavit of the Complainant either by post or by email whichever is earlier.

The Respondent is hereby also directed to produce Certified copies of the legal documents relating to the plot of land in question in his Affidavit and his submission made during instant complaint hearing including the present status of the project Kalyani City Enclave by enclosing the certified copy of the completion certificate, occupancy certificate from the Sanctioning Authorities and the project related documents including sanctions and permissions obtained by the respondent while executing this project should be submitted by the Respondent to establish that the Respondent is abiding by all the laws and regulations for developing and selling the Plot of lands to the customers after

taking money. Also to establish that the project is registered under erstwhile WBHIRA or WBRERA if any or not, enclosing a certified copy of the registration certificate.

Fix **8 (eight) weeks** for further hearing and order.



(JAYANTA KR. BASU)
Chairperson

West Bengal Real Estate Regulatory Authority