

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

Complaint No. WBRERA/COM001362

Goutam Debnath..... 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 02.07.2025	The Complainant, Goutam Debnath appeared physically at the time of hearing of the instant Application. He has submitted hazira which should be kept in record. The Respondent, Janapriyo Real Estate Pvt. Ltd is represented by the Learned Advocate, Mainak Chandra appeared online. He is directed to submit hazira and vakalatnama to appear on behalf of the Respondent, which should be kept in record. Today is the admission hearing of the instant Complaint. The Complainant stated in the year 2012 booked a plot of land in the Residential Project named "Metro City Park". The Respondent promised to hand over the said plot of land within 36 months. The Complainant has totally paid Rs.4, 57,500/- during 36 months installments. In the year 2016 the Complainant has mutated his land but no land was shown to him only the paper works has been done. The Complainant visited the project and found that there is no sign of development over the said project. The Complainant met the Respondent and made several communication to deliver the physical possession of the said land but all in vain. The Complainant also stated that the Respondents is selling the same land to the outsiders. The Complainant also stated that he has sent letters to the Respondent for delivery of physical possession no response has been made by the Respondent. The Complainant now wants to withdraw himself from the project by taking refund of money as paid by him by way of a Demand Draft and if the land is delivered that should be done in proper way along with all legal documents. The Learned Advocate appearing for the Respondent stated that at the time of Registration of the Sale Deed the RERA Act was not enacted. The installments of payment have been made by the Complainant and the plot has been handed over to him. He also stated that the instant Complaint is not maintainable. Now it is observed that the project Metro City Park is still now going on 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 by enclosing a certified copy of the registration certificate.

After hearing both the Complainant and the Respondent, 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 his total submission regarding his Complaint Petition on a Notarized Affidavit annexing therewith notary attested / self attested copy of supporting documents including the details of the payments made by the complainant to the respondent and a signed copy of the Complaint Petition in 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 **1 (one) week** from the date of receipt of this order through email.

The Respondent is hereby directed to submit his Written Response on notarized affidavit regarding the Complaint Petition and Affidavit of the Complainant, explain it, annexing therewith notary attested/self-attested supporting documents, if any, including the present status of the project Metro City Park 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 and send the Affidavit (in original) to the Authority serving a copy of the same to the Complainant, both in hard and soft copies, within **1 (one) week** from the date of receipt of the Affidavit of the Complainant either by post or by email whichever is earlier.

The next date of hearing is **4 (four)** weeks from date.



(JAYANTA KR. BASU)

Chairperson

West Bengal Real Estate Regulatory Authority