

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

Complaint No.WBRERA/COM(Physical)000234

Shuvendu Biswas..... Complainant

Vs.

Jain Group..... Respondent

Sl. Number and date of order	Order and signature of the Authority	Note of action taken on order
01 04.07.2025	The Complainant, Subhendu Biswas appeared physically in the hearing by filing hazira which should be kept in record. The Respondent, Jain Group is represented by its Learned Advocate Sayantani Chatterjee. She is requested to file hazira and Vakalatnama physically or online which should be kept in record. Today is the admission hearing of the instant Complaint. The complainant stated that he entered into an Agreement for Sale with the Respondent for purchasing a Flat in the <u>Dream One Project</u> of the Respondent. The Agreement for Sale was made on 04.02.2019. As per the Agreement it was mentioned that as per HIRA Registration the project is completely "Residential" and there was no indication for making any Commercial space thereupon. The Complainant stated that the possession was to be delivered in the year 2023 but the same was given in 2024 and after having the possession it was noticed that a Hotel is being running there and the project is being used as "Commercial" purpose. The Respondent has never informed or intimated about the Commercial project to the Complainant and the Respondent has violated the Registration Certificate of the Authority and also violated the Agreement for Sale by making Commercial unit over the said project. The Learned Advocate appearing for the Respondent informed that she has only received the copy of the "M" Form and without any Affidavit and enclosures and that too before one day so she is not prepared to make any reply to the Complainant. After receiving the Affidavit from the Complainant she will send her Written Response regarding the Complaint made by the Complainant 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 their Complaint Petition on a Notarized Affidavit annexing therewith notary attested/self-attested copy of supporting documents 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 **7 (seven) days** from the date of receipt of this order of the Authority by email.

The Respondent is hereby directed to submit its Written Response on notarized affidavit regarding the Complaint Petition and Affidavit of the Complainant, annexing therewith notary attested/self-attested copy of supporting documents enclosing certified copy of the Registration Certificate issued by the Authority, 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 **15 (fifteen) days** from the date of receipt of the Affidavit of the Complainant either by post or by email whichever is earlier.

Fix after **5 (five) weeks** from date for further hearing and order.



(JAYANTA KR. BASU)

Chairperson

West Bengal Real Estate Regulatory Authority