

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

Complaint No. COM000158 (erstwhile WBHIRA)

Vikash Kumar Bathwal.....Complainant

Vs

Emami Realty Limited..... Respondent

Sl. Number and date of order	Order and signature of the Authority	Note of action taken on order
11 26.09.2024	Complainant (Mobile – 9836175003, email – vikash_bathwal@yahoo.com) alongwith his Advocate Smt. Saheli Sen is present in the physical hearing filing Vakalatnama and signed the Attendance Sheet. Advocate Shalini Dey (Mobile – 9007116455, email – shalini@gaggarcollp.com) is present in the physical hearing on behalf of the Respondent filing Vakalatnama and signed the Attendance Sheet. Heard both the parties in detail. Advocate of the Respondent stated that she is not prepared with the matter and the senior Advocate on behalf of the Respondent could not attend today's hearing and she prayed for a short adjournment. Advocate of the Complainant prayed for necessary direction for registration of the flat in favour of the Complainant. The Authority is of the considered opinion that there are mainly two issues which are,- Registration of the flat in favour of the Complainant and granting interest for the period of delay in giving possession to the Complainant. On the question of delay interest the senior Advocate of the Respondent shall be heard in detail on the next date of hearing. But on the question of registration of the flat, it is quite obvious that the Registration is to be done in favour of the Complainant at the earliest, already possession has been handed over to the Complainant as per the order of this Authority and there is also direction of the Hon'ble High Court at Calcutta in the matter C.O.19 of 2021 (Emami Realty Ltd vs Vikash Kumar Bathwal) by order dated 19.01.2021 that this matter is to be heard and disposed of expeditiously by this Authority. After hearing both the parties, the Authority is hereby pleased to give the following directions:- a) Respondent shall complete the registration of the flat in favour of the Complainant within 45 days from the date of receipt of this order of the	

Authority through email; and

- b) Senior Advocate on behalf of the Respondent shall positively remain present in the hearing physically on the next date, failing which, this Authority shall have no other option but to proceed with ex-parte hearing and disposal of this matter, for the ends of speedy disposal of justice, as per section 29(4) of the Real Estate (Regulation and Development) Act, 2016 and in compliance with the order of the Hon'ble High Court at Calcutta in the matter C.O.19 of 2021 (Emami Realty Ltd vs Vikash Kumar Bathwal) by order dated 19.01.2021 for expeditious hearing and disposal of this matter.

Fix **18.06.2025** for further hearing and order and on the next date hearing shall be held physically in the office of WBRERA.


(BHOLANATH DAS)

Member

West Bengal Real Estate Regulatory Authority


(TAPAS MUKHOPADHYAY)

Member

West Bengal Real Estate Regulatory Authority