

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

Complaint No. WBRERA/COM 000503

Kailash Chandra Jain & Arun Jain Complainant

Vs

Your Projects Private Limited Respondent 1

Pioneer Property Management Limited..... Respondent 2

Sl. Number and date of order	Order and signature of the Authority	Note of action taken on order
04 <u>09.07.2025</u>	<p>Complainant (mobile:- 9330096697 & email Id: jainkc45@gmail.com) is present in today's hearing physically and signed the Attendance Sheet.</p> <p>No one is present on behalf of Respondent No.1, despite due service of hearing notice through email.</p> <p>Advocate Aritra Basu alongwith Mr. Avik Chitta Kundu (Mob. No. 9830787916 & Id: abhikchitta1991@gmail.com) is present in the hearing through online mode on behalf of Pioneer Property Management Limited.</p> <p>No Affidavit has been submitted by Respondent No.1 vide Authority order dated 03.10.2024 and also dated 29.04.2025.</p> <p>The Respondent Pioneer Property Management Limited submitted a sur rejoinder and order 1 rule 10 before the Authority which may be kept in record.</p> <p>Heard the Complainant and advocate of Pioneer Property Management Limited.</p> <p>The Advocate of Pioneer Property Management Limited submitted that his client is in no way liable to be adjudicated in this complaint petition which is evident from the original complaint petition as well as Affidavit of the Complainant wherein it is clear that the Complainant has paid money in favour of the Respondent No.1 Developer, Your Projects Private Limited and Agreement for Sale has also not been signed with the Pioneer Property Management Limited. Hence he prayed for deletion of the name of his client from this instant complaint petition.</p> <p>After hearing all the parties present in the hearing, and going through the Affidavits and relevant documents, the Authority is of the opinion that Pioneer Property Management Limited is in no way responsible to be adjudicated under this complaint petition as they are not a party in the Agreement for sale and the money has been paid by the Complainant in favour of the Developer Company. Hence the name of Pioneer Property Management Limited is hereby deleted from the instant</p>	

complaint petition.

The Respondent No.1 was repeatedly asked to submit Affidavit and also to appear before the Authority for their submission. It was specifically mentioned in the earlier order dated 29.04.2025 that in the event of non-submission of Affidavits and being absent on today's hearing the matter shall be heard Ex-parte.

Accordingly the instant matter is hereby heard Ex-parte and after hearing the Authority is hereby pleased to give the following directions:-

- A. The Respondent shall refund the Complainant the principal amount of Rs. 14,51,901/- along with interest at the rate SBI PLR +2% per annum, for the period starting from the respective dates of payment made by the Complainant till the date of realization within **45(forty-five) days** through Bank transfer, from the date of receiving this order, by speed post or by email, whichever is earlier.
- B. The Complainant shall send their Bank Account particulars to the Respondent within **7(seven) days** from the date of receiving this order.

In case of non-compliance of the order of the Authority by the Respondent the Complainant is at liberty to file an Execution Application before the Authority as per Execution Regulation.

With this direction the matter is hereby disposed of.

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


(BHOLANATH DAS)
Member

West Bengal Real Estate Regulatory Authority


(TAPAS MUKHOPADHYAY)
Member

West Bengal Real Estate Regulatory Authority