

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

Complaint No.WBRERA/COM-000108

Anindya Bhukta..... Complainant

Vs.

Riverbank Developers Private Limited..... Respondents

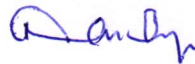
Sl. Number and date of order	Order and signature of Officer	Note of action taken on order
01 24.05.2023	<p>Complainant is present in the online hearing filing hazira through email.</p> <p>Respondent is absent despite due service of notice through speed post and by email.</p> <p>Heard the Complainant in detail.</p> <p>The Complainant submitted that he has instituted a Complaint case before erstwhile WBHIRA and the said Complaint Case bearing No. COM000367 was heard by the erstwhile WBHIRA Authority. The last order in the said Complaint case was passed by WBHIRA on 25.03.2020. After that WBHIRA was struck down by Hon'ble Supreme Court on 4<sup>th</sup> May, 2021.</p> <p>By the Order of the Hon'ble Supreme Court dated 12.05.2023 in the Case No. Special Leave to Appeal (C) No(s). 16908/2022 in the matter of Saptaparna Ray Vs. District Magistrate North 24 Parganas &amp; Ors., the Apex Court has been pleased to direct-</p> <p><i>"This Court observed that the "striking down of WB-HIRA will not affect the registrations, sanctions and permissions previously granted under the legislation prior to the date of this judgment". This principle shall also apply to orders which were passed whether in original or in the course of execution prior to the date of the judgment. All such orders shall be executed in accordance with law, as if they were issued under the RERA.</i></p> <p><i>Moreover, we clarify that all complaints which were filed</i></p>	

*before the erstwhile authority constituted under WB-HIRA shall stand transferred to and be disposed of in accordance with law by the authority which is constituted under the Central Act. Any person aggrieved by an order passed under WB-HIRA will be at liberty to pursue the corresponding remedy which is available under the RERA.”*

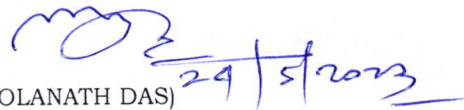
Therefore, as per the above direction of the Hon'ble Supreme Court, this Authority shall proceed with the hearing of the Complaint Case No. COM000367 from the stage up to which hearing was conducted by the WBHIRA Authority and the next date of hearing of the said matter is hereby fixed on 21.06.2023.

As the parties and cause of action of both the Complaint Cases are same consequently, the hearing of this instant Complaint Case bearing No. WBRERA/COM-000108 is hereby closed and this case is hereby disposed of on the ground that this Authority shall proceed with the hearing of the above mentioned Complaint Case No. COM000367.

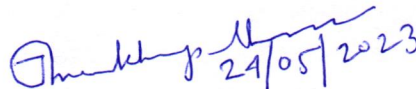
Fix **21.06.2023** for the next date of hearing and order for the Complaint Case No. COM000367 instituted under the erstwhile WBHIRA.



(SANDIPAN MUKHERJEE)  
Chairperson  
West Bengal Real Estate Regulatory Authority



(BHOLANATH DAS)  
Member  
West Bengal Real Estate Regulatory Authority



(TAPAS MUKHOPADHYAY)  
Member  
West Bengal Real Estate Regulatory Authority