

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

Complaint No. WBRERA/COM001432

Realmark Reality Private Limited.

.....Complainant.

Vs.

Mr. Santosh Kumar Sharma

..... Respondent.

Sl. Number and date of order	Order and signature of Authority	Note of action taken on order
01 10.12.2025	<p>The Complainant, Realmark Reality Private Limited, represented by the Authorized Representative, Nisheet Agarwal ( Phone No. 9748156567 Email ID : <a href="mailto:nisheet@keep1.com">nisheet@keep1.com</a>) who appeared physically at the time of hearing of the instant Complaint. He has filed hazira and Authorization letter which shall be kept in record.</p> <p>The Respondent, Mr. Santosh Kumar Sharma was absent at the time of hearing of the instant matter.</p> <p>The Representative appearing on behalf of the Complainant submitted that the instant Complainant has been filed against the Respondent for the non-acceptance of a refund cheque who was allotted a unit being No. 9D together with one Multi Level Car Parking Space in Project " AMORA" SITUAGTED at 189B NSC Bose Road, P.S. - Tollygunge, Kolkata 700040, despite due cancellation of the allotment arising from continued default. The Allotment letter was given on 15.06.2024 and demand letters were issued to the Respondent from time to time requiring payment of the sold/purchase consideration. Despite repeated reminders the Respondent not only failed to make the requisite payments as per the demand letters issued thereto but also failed to execute and register the Agreement for Sale. For non-compliance of the demand notices together with the reminder letters a cancellation letter along with the refund cheque were duly issued to the Respondent but the Respondent neither acknowledged the cancellation nor accepted and/or encashed the refund cheque sent to him, solely on account of his failure to adhere to the terms and stipulations of the aforesaid allotment dated 15.06.2024.</p> <p>The Representative appearing on behalf of the Complainant prayed for necessary direction so that the cancellation and refund process is formally concluded in accordance with the provisions of the Real Estate ( Regulation and Development), Act, 2016. He also stated that the Complainant now wants to refund the money only.</p>	

After hearing the Complainant, 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 the Complaint Petition on a Notarized Affidavit annexing therewith notary attested /self-attested supporting documents and a signed copy of the Complaint Petition in 'M' Form and send the Affidavit (in original) to the Authority serving a copy of the same to the Respondent, both in hard and soft copies, within **2 (two) weeks** from the date of receipt of this order of the Authority by email.

The Respondent is hereby directed to submit his Written Response on notarized affidavit regarding the Complaint Petition and Affidavit of the Complainant, annexing therewith notary attested/self-attested supporting documents, if any, both in hard and soft copies, within **2 (two) weeks** from the date of receipt of the Affidavit of the Complainant either by post or by email whichever is earlier.

The Complainant is hereby further directed to file Affidavit of Service at the time of next hearing.

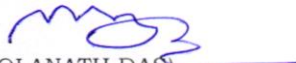
The next date of hearing is **6 (six) weeks** from date.



(JAYANTA KR. BASU)

Chairperson

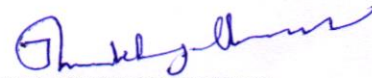
West Bengal Real Estate Regulatory Authority



(BHOLANATH DAS)

Member

West Bengal Real Estate Regulatory Authority



(TAPAS MUKHOPADHYAY)

Member

West Bengal Real Estate Regulatory Authority