

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

Complaint No. WBRERA/COM001431

Realmark Reality Private Limited.Complainant.

Vs.

1. Mr. Krishan Patwari.
2. Mrs. Sarita Agarwalla.

..... Respondents.

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 : nisheet@keeppl.com) 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 Respondents Mr. Krishan Patwari and Mrs. Sarita Agarwalla were 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 Respondents for non-payment of outstanding demand amount who were allotted a unit being No. 3B in Tower No. 2 (Autumnia) together with one open independent car parking space in the project, 'SEASONSS' situated at Mouza - Sarmasterchak, Joka, D.H. Road, under Kulerdari Gram Panchayet, Bishnupur - 1, Dist. South-24-Parganas. The Allotment letter was given on 08.04.2023 and an Agreement for Sale was executed on 23.09.2023 and the delivery of the Flat was settled in 2026. In accordance with the agreed payment terms stipulated under the allotment, demand letters were issued to the Respondents from time to time requiring payment of the sod/purchase consideration. The Respondents have paid Rs.30,00,000/- out of total consideration of Rs.1,60,05,000/-. Despite repeated reminders the Respondents failed to make the requisite payments as per the demand letter issued thereto. This non-payment approach is hampering the administrative closure of the allotment and causing undue delay. He also stated that after two reminders, the Complainant has sent cancellation letter after deducting 10% of the money given by the Respondents and then the Complainant wanted to sell the Flat to the other party and came to the Authority for a direction to refund the money paid by the Complainant after deducting 10% of the booking amount and to sell the flat to other person as the Complainant will be unable to give possession of the flat but will refund the money.</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 Respondents, both in hard and soft copies, within **2 (two) weeks** from the date of receipt of this order of the Authority by email.

The Respondents are 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