

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

Complaint No. WBRERA/COM(Physical)000229-CP

Surajit Ghose. Complainant.

Vs.

Sumitra Bose... Respondent.

Sl. Number and date of order	Order and signature of Authority	Note of action taken on order
01 26.06.2025	The Complainant, Surajit Ghose alongwith his wife, Nupur Ghose are physically present at the time of hearing of the instant Complaint. The have filed hazira which should be kept in record. The Respondents, Sumitra Bose is absent at the time of hearing although she was informed by e-mail dated 20.06.2025 but there is no reply. Today is the Admission hearing. The Complainant stated that he is the joint owner of a plot of land where the Respondent Developer wanted for development work of G+III storied Building. The Complainant signed an Agreement for Development on 28.05.2019 with the Respondent, Smt. Sumitra Bose, the proprietor of "Baba Construction". The Respondent got a sanctioned plan from the Rajpur Sonarpur Municipality and started the construction work before 30.11.2022. The Developer promised to deliver the possession of the Complainant's allocation within 22 months. The Complainant was promised to have two flats, a shop room and one car parking space and space for godown including the common part and common area including all the amenities like water supply, electricity, CCTV and other facilities and further cash of Rs.3,50,000/- and house rent @ Rs.6,000/- per month for the period of construction of the said building till the handover of possession. The Respondent also agreed to make the Registration of the Deed of Conveyance with his own cost. The Developer has not completed the development work and no Completion Certificate has been obtained from the concerned Municipality. The physical possession of the flats was taken by the Complainant on 30.05.2024 which is already delayed. The Respondent has not paid the balance cash and the dues of Rents. The Complainant tried to contact with the Respondent he could not trace out the Respondent and for the same he has made complainant before competent authority. The Complainant stated that the Project is not registered under WBRERA. The Complainant prayed for fulfilling all the commitment made by the Developer/Respondent as per the Development Agreement. The Complainant also prayed for adding Sri Kanchan Bose, husband of Smt. Sumitra Bose as Respondent No. 2 as he deals with the business of Baba Construction.	

After hearing both 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:-

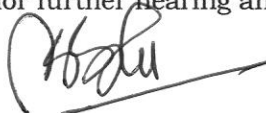
The Complainant is directed to submit his total submission regarding their Complaint Petition on a Notarized Affidavit annexing therewith notary attested/self-attested copy of supporting documents and a signed copy of the Complaint Petition in Form 'M' and send the Affidavit (in original) to the Authority serving a copy of the same to the Respondent, both in hard and scan 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 copy of supporting documents, if any, and send the Affidavit (in original) to the Authority serving a copy of the same to the Complainants, both in hard and scan copies, within **7 (seven) days** from the date of receipt of the Affidavit of the Complainant either by post or by email whichever is earlier;

The Respondent is further directed to mention whether the construction has been made abiding by the guideline of RE(R&D) Act, 2016 and the registration of the project has been taken either from WBHIRA or WBRERA and also to show cause as to why Section 63 of the RE(R&D) Act, 2016 should not be invoked for non-compliance of the notice for appearing before this Authority vide e-mail dated 20.06.2025.

The office is directed to include and add Sri Kanchan Bose, husband of Smt. Sumitra Bose as Respondent No. 2 .

Fix after **4 (four) weeks** for further hearing and order.



(JAYANTA KR. BASU)

Chairperson

West Bengal Real Estate Regulatory Authority