

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

Complaint No. WBRERA/COM000923-CP

Mahadev Chandra Das Complainant

Vs.

Chandan Das, Sanjay Kumar Demblani & Rohit Demblani Respondent

Sl. Number and date of order	Order and signature of Authority	Note of action taken on order
02 26.06.2025	The Complainant, Mahadev Chandra Das is represented by his Learned Advocate, Jayita Prasad is present online in the instant hearing today. She is hereby directed to submit hazira and Vakalatnama which should be kept in record. The Respondents, Chandan Das, Rohit Demblani and Sanjay Kumar Demblani are absent at the time of hearing. They have send a e-mail for not appearing before this Authority as they have to appear before the Hon'ble District Judge, Barasat. The Complainant has submitted Notarized Affidavit dated 20.02.2025, containing his full submission regarding this Complaint Petition, as per the last Order of the Authority dated 07.02.2025, which has been received by the Authority on 21.02.2025. Let the said Affidavit of the Complainant be taken on record. The Respondent No. 1 has filed Written Response dated 01/04/2025 in response to the Affidavit filed by the Complainant which has been received by this Authority on 23.04.2025. The Respondent No. 3 has filed Written Response dated 01/04/2025 in response to the Affidavit filed by the Complainant which has been received by this Authority on 23.04.2025. Let the said Affidavits of the Respondent Nos. 1 and 3 be taken on record. Ld' advocate Ms Jayita Prasad representing the complainant submitted that the respondents No. 1 and 3 had mentioned their internal problems of the partnership firm are going since 2013-14 but why this fact as submitted by the Respondent Nos. 1 & 3 in their Affidavit they have problems with the respondent No. 2, they are continuously pointing towards the Respondent No 2 that he is responsible for all this disputes and they had mentioned that since 2014 there are problems with Respondent No 2. So why in the year 2020 Respondent No. 1 & 3 executed agreement for sale with her client, the complainant in this instant matter. The Respondent Nos. 1 & 3 had mentioned in the agreement/affidavit that	

in 2014 -15 the instant project was in the verge of completion but due to the problems created by Respondent No 2 and his brother, the project got stopped. The working of the project got stopped in 2014- 15 only and the project was still incomplete in 2025 and still the Respondent No. 1 and 3 executed an Agreement for Sale with her client in 2020 and received payments from the complainant by raising demands against the delivery of the flat as agreed to by the respondents. This indicates the fraudulent and ill motive of the respondents.

Besides, in the Agreement for sale they have committed vaguely the date of possession of the flat to be given within 24 months from the date of execution of the Agreement for sale for agreement executed in the year 2014 its 24 months for him; also and the person who enters into the same Agreement for sale in the year 2020.

The Learned Advocate also prayed for Adding the partnership Firm, Sreema Vision Enterprise as one of the Respondents as the payments have made to the Partnership Firm.

After hearing the Ld. Advocate for Complainant Authority directs:-

The Complainant to submit Supplementary Affidavit within **15 (fifteen) days** from receipt of the instant order before this Authority both hard and soft copy and also to serve the same to the respondents both in hard and soft copy.

The Respondent is also directed to submit their Affidavit in Opposition both in hard & soft copies, after receipt of the Supplementary Affidavit from the Complainant including their submission that's why penalty should not be imposed against them for violation of Section 3 of RE(R&D)Act 2016 before this Authority and to the Complainant also within **2 (two) weeks** on receipt of the Supplementary Affidavit from the complaint.

Next date of hearing is fixed **6 (six) weeks** from this date for further hearing and order.



(JAYANTA KR. BASU)
Chairperson

West Bengal Real Estate Regulatory Authority