

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

Complaint No. WBRERA/COM 001496

Subir Mukherjee Complainant

Vs

M/S. Ishan Construction and Developer Respondent

Sl. Number and date of order	Order and signature of the Authority	Note of action taken on order
01 07.01.2026	<p>Advocate Santanu Paul (mob: 9836113934, email: rerapandits@gmail.com) is present in today's hearing on behalf of the Complainant by filing vakalatnama and signing the attendance sheet.</p> <p>Advocate Prabir Kumar Nandi (mobile:-9163693421 and email:-prabirnandi1958@gmail.com) is present in is present in today's hearing on behalf of the Respondent by filing authorization and signing the attendance sheet. He is directed to submit his vakalatnama immediately after today's hearing.</p> <p>Heard both the parties in detail.</p> <p>The Complainant stated that they entered into a registered Development Agreement along with the Respondent on 30.06.2015. And as per the Development Agreement the Respondent was supposed to complete the construction within a period of 21 months from the date of possession of the premises from the land owner. But in spite of handing over the land to the Respondent by the Complainant the land was vacant for a long time with no construction taken up by the Respondent. The embargo time of the Development Agreement expired and the petitioner kept following up with the Developer but did not take any steps on the basis of verbal commitments of the Developer. On April, 2025, the Developer had started construction on the basis of a POA and got the plan revalidated from KMC i.e. on the basis of suppressed information but neither informed the Complainant nor did they take permission from the Complainant for such illegal constructions.</p> <p><u>The Complainant prayed for the following reliefs:-</u></p> <ol style="list-style-type: none">To issue a Stop Work notice immediately to the Developer until disposal of this complaint petition by the Authority as there is no development right available with the Developer.To pay compensation and interest as per the Development Agreement under the applicable provisions of RERA Act, 2016.To investigate on the Developer under section 35 of the RERA act, 2016 as they might be defrauding others.	

After hearing, the Authority is pleased to 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 supporting documents and a signed copy of the Complaint Petition 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 **15 (fifteen)** days from the date of receipt of this order of the Authority by email.

The Respondent is hereby directed to submit their Written Response on notarized affidavit regarding the Complaint Petition and Affidavit of the Complainant, annexing therewith notary attested/self-attested supporting documents, if any, and send the Affidavit (in original) to the Authority serving a copy of the same to the Complainant, both in hard and soft copies, within **15 (fifteen)** days from the date of receipt of the Affidavit of the Complainant either by post or by email whichever is earlier.


Fix after **6(six) weeks** for further hearing and order.



(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