

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

Complaint No. WBRERA/COM001376-C.P.

Manojit Mandal. Complainant.

Vs.

Sivaprasad Chatterjee.... Respondent.

Sl. Number and date of order	Order and signature of Authority	Note of action taken on order
01 14.07.2025	The Complainant, Manojit Mondal appeared physically at the time hearing today. He submitted attendance which should be kept in record. The Respondent, Sivaprasad Chatterjee is absent at the time hearing although he was well informed. Today is the Admission hearing. The Complainant stated that he along with his Wife Tulika Mandal wanted to purchase a Flat being No. S2 on the second floor at holding No. 90, Bijan Chakraborty Sarani, Ward No. 17 under Rajpur Sonarpur Municipality, Kolkata – 700 149 along with a covered garage from the Respondent. The total consideration of the Flat was Rs.20,00,000/- and he paid Rs. 13,00,000/- on 30.12.2022. There after the Complainant paid total consideration amount which was acknowledged by the Respondent vide a Memo of Consideration on a Stamp Paper. The Complainant was out of station and came back in February, 2024 and asked the Respondent to deliver the possession of the said flat and to register the Deed of Conveyance and he asked for the draft Deed but the Respondent constantly giving one after another date for making the Deed of Conveyance. The Complainant came to know from other person that the said Flat has already been sold and then he rushed to the Respondent to know the actual fact. The Respondent acknowledged the same and wanted to refund the money of the Complainant only Rs.9,00,000/- and the rest amount was also paid by the Respondent but all the cheques were dishonored. The complainant prayed for refund of Rs.11,00,000/- along with interest as per the provision of the RE(R&D) Act, 2016. After hearing both the parties, 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 her total submission regarding the Complaint Petition on a Notarized Affidavit mentioning details of complaint and	

the reliefs sought for annexing therewith notary attested /self-attested copy of supporting documents and a signed copy of the Complaint Petition Form 'M' and the relevant documents relating to the pending cases in other Courts relating to the property in question 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 **1 (one) week** 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 Complainant, both in hard and scan copies, within **1 (one) week** from the date of receipt of the Affidavit of the Complainant either by post or by email whichever is earlier.

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



(JAYANTA KR. BASU)

Chairperson

West Bengal Real Estate Regulatory Authority