

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

Complaint No.WBRERA/COM000948

Amit Saha Complainant

Vs

Soumen PaulRespondent

Sl. Number and date of order	Order and signature of the Authority	Note of action taken on order
02 16.07.2025	Complainant is present in the hearing today through online mode. Respondent is absent in today's hearing, without any intimation, despite due service of hearing notice through email. As per the Complaint Petition, the fact of the case is that,- He had bought plot by attractive advertisement posted on internet, being Plot (No.-301 & 302), Khatian No-3959, Daag no. - 2123 – Khatian No - 306, & Daag No. - 2124 Khatian No- 3681. Total Area 4.95 decimal / 2160 Sq. feet /3 cottah, Layout plan of Smart Villey (Phase-2) at MOUZA Rambati, (J.I. NO. - 6) under Vill. - PanpurKeutia, P.S. - Jagaddal, 24 pgs. North, pin 743126, West Bengal, India. Agreement for sale, Deed of Conveyance & Mutation were signed on 08 Oct 2015, 25 Jan 2019 and 11 July 2022 respectively. During his first site visit before purchase it was found that the total project area / land was found to be a low land (6 feet below road level approx.). Developer-Mr Soumen Paul promised him that the Respondent will make it at road level and will complete total development and make a colony within period of 3 Years, i.e. till September 2018. As a Developer he promised to complete all necessary works of the said plot within 3 (three) years from the date of execution of this agreement. As per agreement copy - CUSTOMER MUST OBTAIN 'NO DUE CERTIFICATE' from DEVELOPER before the DEED OF CONVEYANCE IS EXECUTED. Before registration of my land- there was several communications with him on failure of project development. He replied that all other customers are doing their land registration and Respondent mailed him – sample of other's deed and told that within next 2 or 3 year (i.e.-up to 2021) project will be completed, but had not given any document on that & again he trusted Respondent and completed his land registration & Mutation on his request.	

Till now (After 8 years) there is no any development. Approx 10 month ago he told that the project are going to be sold to some other party.

The Complainant prays before the Authority for the following reliefs:-

To get the present value of developed land (As M/s Smart Enterprise was supposed to handover him complete developed land costing approximately Rs. 21 lakh.

After hearing the Complainant, the Authority is hereby pleased to give the following direction:-

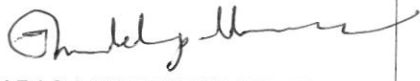
The Complainant is directed to submit his total submission regarding their Complaint Petition on a Notarized Affidavit annexing therewith notary attested/self-attested supporting documents and a signed copy of the Complaint Petition and send the Affidavit (in original) to the Authority serving a copy of the same to the Respondent, both in hard and soft copies, within **21 (twenty-one)** 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 **21 (twenty-one)** days from the date of receipt of the Affidavit of the Complainant either by post or by email whichever is earlier.

Fix **09.12.2025** for further hearing and order.


(BHOLANATH DAS)
Member

West Bengal Real Estate Regulatory Authority


(TAPAS MUKHOPADHYAY)
Member

West Bengal Real Estate Regulatory Authority

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

Complaint No.WBRERA/COM000948

Amit Saha Complainant

Vs

Soumen PaulRespondent

Sl. Number and date of order	Order and signature of the Authority	Note of action taken on order
Corrigendum 01 16.07.2025	<u>CORRIGENDUM</u> In the first para of Order No.01 dated 05.02.2025 in Complaint Petition No. WBRERA/COM 000948, the line "Complainant is present in the hearing through online mode filing hazira through email.". shall be omitted. Let copy of this order be served to both the parties immediately.  (BHOLANATH DAS) Member West Bengal Real Estate Regulatory Authority  (TAPAS MUKHOPADHYAY) Member West Bengal Real Estate Regulatory Authority	