

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

Complaint No.WBRERA/COM 001418

Manish Shaw and Dolly Jaiswal..... Complainant

Vs

Eden Realty Ventures Private Limited..... Respondent

Sl. Number and date of order	Order and signature of the Authority	Note of action taken on order
02 05.03.2026	<p>Complainant(email id:-<a href="mailto:shawmanish16@gmail.com">shawmanish16@gmail.com</a>) is present in the hearing through the online mode, filing the hazira and signing the attendance sheet.</p> <p>Learned Advocate Sanjay Bhattacharya (email id:-<a href="mailto:sanjb240576@gmail.com">sanjb240576@gmail.com</a>) is present in today's hearing on behalf of the Respondent Company physically.He is directed to file the hazira and vakalatnama immediately.</p> <p>The Complainant has submitted notarized affidavit dated 07.11.2025, as per the Order no. 1, dated 29.10.2025.</p> <p>The Complainant has included his wife Dolly Jaiswal as a Complainant, in the instant Complaint as a joint allottee.</p> <p>Heard both the parties in detail.</p> <p>Complainant submitted in his affidavit that he booked a flat in the "Solaris City" project of the Respondent, entering into an agreement for sale in 23.10.2019. The completion date was 12.10.2023, but possession has not been handed over yet. The Company does not respond to call or emails promptly due to the negligence part of the Respondent the validity of the demand draft given by the Complainant expired. The Respondent revised advanced maintenance charges violating the provision of the Agreement for Sale and cancelled the Solar Panel System installation without discussion or written notice. As because the Respondent did not comply with the provisions in the Agreement for Sale. Complainants initial Complaint Form 'M' was filed on 19.06.2025 where he sought handing over possession of the said flat immediately as a relief from the Authority in his Affidavit dated 07.11.2025. They have sought full refund along with the accrued interest as mandated under the RERA Act 2016 and also home loan interest inclusion for failure of the Respondent Promoter to comply with the provision of Agreement for Sale executed between the parties.</p> <p>Learned Advocate for the Respondent submitted that he could not file affidavit in response as directed by Order no. 1 dated 29.10.2025, for where complainant sought immediate possession of the flat in Form 'M', is now in his affidavit the Complainants are seeking full refund. The submission made by Learned Advocate</p>	

for Respondent was objected by the Complainant. The Complainant stated that he filed his complaint in Form 'M' on 19.06.2025. In the course of his Complaint hearing he seeks refund of the payment made by the complainant to the respondent against the flat as the Respondent has violated the terms and conditions as executed between the parties.

After hearing both the parties, the Authority directs upon:-

- a) Respondent is once again directed to comply with the instruction upon him by Order no. 1 dated 29.10.2025. by filing his affidavit in response within **2(two) weeks** of received of the order serving a copy to the Complainant.
- b) Complainant is at liberty to file his response through affidavit within **2(two) weeks** of receiving the affidavit from Respondent.

Fix next date of hearing **6(six) weeks** from now.



(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