

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

Complaint No. WBRERA/COM001207

P.S. Vinayak Complainant.

Vs.

Seema Vishnukumar Oza Respondent.

Sl. Number and date of order	Order and signature of Authority	Note of action taken on order
04 03.11.2025	Complainant, P.S. Vinayak, represented by the Authorised Representative, Tania Saha and M.Kumar who appeared online at the time of hearing and they are requested to file hazira which should be kept on record. Respondents, Seema Vishnukumar Oza represented by the Learned Advocate, Rishav Dutta Gupta who appeared online at the time of hearing on the instant Complainant. He is requested to file hazira and Vakalatnama physically or online which should be kept on record. The Learned Advocate stated that he has recently got the brief from the Respondent been earlier attended by erstwhile Learned Advocate, Debanjali Payra. The Authorised Representative of the Complainant stated that the Complainant wants to cancel the allotment of both the flat and want to sell the flat to another purchaser as the Respondent is unable to make payment and they have not paid any delay interest also. They also want to retain the booking amount paid by the Respondent with interest and also to clear the settlement with the Bank wherefrom the Respondent has taken loan and fore closer from bank is to be taken. The Complainant will hand over all the papers related to GST amount which would be refunded by the concerned authority and any assistance if needed the Complainant will stretch their hand. She also stated that the Respondents made an Agreement for settlement of the dues on 20/07/2024 but no further progress has been made by the Respondents. The Learned Advocate appearing for the Respondents stated that his clients are now trying to have another bank loan and due to illness they are now unable to do so and he asked for one month time to make payment of dues amount for taking possession of flat. He also prayed for time to file Affidavit in Response as last chance as he has recently appointed as the Learned Advocate in this complainant. After hearing both parties, the Authority is pleased to give the following directions:-	

- a) The Respondent is directed to file Affidavit-in-opposition as directed by the earlier orders of the Authority within **2 (two) weeks** and to send the same before this Authority as well as to the Complainant by hard copy and soft copy after receiving this Order by email.
- b) The Complainant is given **2 (two) weeks** time for filing Supplementary Affidavit mentioning the details of its prayers as submitted in today's hearing annexing supporting documents by hard copy and soft copy before this Authority and serving the same to Respondents also after receiving the instant Order by email; and
- c) The respondent has ignored the directions issued upon them vide the earlier orders of this Authority and have not submitted their Affidavit in opposition before the Authority and to the complainant thereby not only delaying the hearing of the instant complaint but also denying the opposite party to ascertain and respond accordingly. The respondents are hereby show caused why **section 63 RE (R&D) Act 2016** shall not be invoked against them for non compliance of the Authority's order.

Fix after **8 (eight) weeks** for next hearing.



(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