

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

Complaint No. WBRERA/COM000712

Varun Kumar Ghosh..... Complainant

Vs

Supratim Roy & Bharati Roy.....Respondents

Sl. Number and date of order	Order and signature of Authority	Note of action taken on order
01 31.01.2024	<p>Complainant is present in the physical hearing and signed the Attendance Sheet.</p> <p>Advocate Soumalya Majumder (Mob. 980430139 & email Id-soumalyamajumder2312@gmail.com) is present in the physical hearing on behalf of the Respondent filing vakalatnama and signed the Attendance Sheet.</p> <p>Heard both the parties in detail.</p> <p>As per the Complainant, he has booked an underconstruction flat at 'Ratnabharati Residency' project situated at 24B, Vidyasagar Road, Nabagram, Hoogly, West Bengal - 712246 pertaining to M/s R.B. Enterprise whose proprietors are Mr. Supratim Roy and Mrs. Bharati Roy and the Complainant has paid Rs.7,00,000/- in this regard. As per the Complainant, the Respondents are deliberately cheating the customers by consciously selling the flats with disputed / faulty title and knowingly depriving them of -</p> <p>a) Fresh encumbrance free property; and b) Right to mutation of flats in their name; and c) Bank loan of flats in their name.</p> <p>In this Complaint Petition, the Complainant prayed for the following reliefs:-</p> <p>a) Imposition of section 82 and 84 of the Registration Act, 1908; and b) Imposition of section 468 and 467 of the Indian Penal Code, 1872; and c) Imposition of section 419 and 420 of the Indian Penal Code, 1872.</p> <p>After hearing both the parties, the Authority is of the considered opinion that the reliefs prayed by the Complainant are outside the purview of the Jurisdiction and Power of this Authority.</p> <p>Therefore the matter is hereby rejected on the ground of reliefs claimed by the Complainant is outside the purview of this Authority.</p>	

The Complainant is at liberty to file a Complaint Petition afresh as per section 31 of the Real Estate (Regulation and Development) Act, 2016.

Let copy of this order be served to both the parties by speed post and also by email immediately.

Sd/-

(SANDIPAN MUKHERJEE)

Chairperson

West Bengal Real Estate Regulatory Authority

Sd/-

(BHOLANATH DAS)

Member

West Bengal Real Estate Regulatory Authority

Sd/-

(TAPAS MUKHOPADHYAY)

Member

West Bengal Real Estate Regulatory Authority

Certified to be true copy

dhc

31.01.2024

Special Law Officer
West Bengal Real Estate Regulatory Authority