

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

Complaint No. WBRERA/COM (Physical) 000265

Sokhi Sona Paul Complainant

Vs

Samir Ghosh Proprietor of S.G. Enterprise Respondent

Sl. Number and date of order	Order and signature of the Authority	Note of action taken on order
01 11.09.2025	Complainant is present in the hearing physically by signing the attendance sheet. Respondent is absent in the hearing, without any intimation, despite due service of the hearing notice through email. Heard the Complainant in detail. As per the Complainant, she is one of the owners of Piece and Parcel of land measuring about 4 cotthas 12 chittacks 22 sq. ft bearing Plot No-A under P.S Kasba within the limits of the Kolkata Municipal Corporation , Ward No.-67, Premises No.- 125B/1, Swinhoe Lane, Kolkata-700042. The Complainant along with five other siblings entered into a Development Agreement with the Respondent, duly registered with DST-III, South 24 Parganas, Volume No.1603-2023, page from 557765 to 557794 being no. 160320148 for the year 2023. As per the Development Agreement Developer will construct a G+4 storied Building consisting of Residential Flats, Unit, car parking space and other structures according to the sanctioned plan of KMC. The Complainant also stated that as per Development Agreement there is a provision of payment of Rs. 8,00,000/- by the Developer to all the owners as forfeit money. But the Complainant has not received the said money from the Developer. The Complainant further alleged that there has been a provision in the sanction plan by the KMC for an A.C shop in the garage area, which was not mentioned in the Development Agreement and is a clear violation of the provisions of the Development Agreement in making such changes without the knowledge of the Complainant and against her interest. The Respondent has not taken registration of the project from WBRERA violating the provision of RERA Act. The Complainant prays for the following reliefs:- A. Direction on Respondent to revise the building plan as per Development Agreement. B. Respondent to stop the construction work and register the project with the RERA Authority as per the provision of the relevant Act and follow	

all provisions of RERA Act.

After hearing the Complainant, the Authority is of the opinion that the matter of deviation of Development agreement is not under the purview of adjudication by this Authority. Regarding the points raised for non registration of the project from WBRERA, there is separate proceeding for taking action against the promoter.

As such, the Authority is hereby pleased to give the following directions:-

Secretary, WBRERA will start proceedings against the promoter regarding issue of non registration of this project by the Respondent for violation of section 3 of WBRERA Act.

The other complaint of this complaint petition is hereby dismissed on the ground of non-jurisdiction of this Authority.

Let copy of this order be served to both the parties and also to the Secretary, WBRERA.



(BHOLANATH DAS)

Member

West Bengal Real Estate Regulatory Authority



(TAPAS MUKHOPADHYAY)

Member

West Bengal Real Estate Regulatory Authority