

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 (physical) 000177

Tilak Chandra Pal, Sudip Pal and Subir Pal ..... Complainant

Vs

Unnayan Builders Pvt. Ltd. & Anr.....Respondent

Sl. Number and date of order	Order and signature of the Authority	Note of action taken on order
02 <u>09.06.2025</u>	<p>Advocate Hitendra Pramanik and Shri Nirmalya Ghosh are present on behalf of the Complainants in the physical hearing and signed the Attendance Sheet.</p> <p>Advocate Sujash Ghosh Dastider and Sayori Mukhopadhyay are present in the physical hearing on behalf of the Respondent filing Attendance Sheet.</p> <p>Both the parties submitted their Affidavit as per order of this Authority dated 17.03.2025.</p> <p>Heard both the parties in detail.</p> <p>The Complainant stated that he wants immediate refund of his invested money of Rs. 16,24,984/- as the project has not been completed till now as per clause No. 11 of the Agreement of Allotment dated 21.11.2011.</p> <p>The Advocate of the Respondent stated that the Complainants filed a case in the self same matter before the District Consumer Disputes Redressal Commission, Kolkata unit II, being case No. CC/198/2019 and also EA/152/2022 and thus, there is no reason to file instant case before the Hon'ble Authority.</p> <p>The Respondent also stated that in the said case, the District Consumer Commission has pleased to pass the final order in favour of the Complainant and Execution proceeding of the said order before the District Consumer Commission has also been going on.</p> <p>Therefore, the case is not maintainable at all before the Authority.</p> <p>After hearing both the parties, the Authority is hereby pleased to give the following directions:-</p> <p>As the District Consumer Commission has already disposed of the case by giving final verdict and execution of the same order is under process before the Consumer Commission, the Authority has no jurisdiction at this stage to interfere in this matter and proceed for further hearing.</p>	

The case is hereby disposed of on the ground of non maintainability.

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