

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

Complaint No. WBRERA/COM (Physical) 000206

Supriya Sarkar Complainant

Vs

Bijesh Bose and Sikat Dutta Respondent

Sl. Number and date of order	Order and signature of the Authority	Note of action taken on order
03 08.09.2025	Complainant is present in today's hearing physically and signed the Attendance Sheet. Respondent is absent in today's hearing, without any intimation despite due service of hearing notice through speed post. Respondent was specifically directed to submit Affidavit as a last chance and were informed that in the event of non-submission of Affidavits and remaining absent on further hearing would result in Ex-Parte hearing to be taken by the Authority for issuance of order. In spite of that, the Respondent neither submitted any affidavit nor appeared in today's hearing. Hence the Authority is proceeding with ex-Parte hearing today. After hearing the Complainant and going through the affidavits submitted by him, the Authority finds that there is violation of different clauses of the Development Agreement signed between the two parties. But in this matter the RERA can only deal with the violation of any right and interest of Complainants as an Allottee. In this case the Complainants wants to receive an amount of Rs.19,47,000/- towards the cost of 649 Sq. Ft of construction area as owner's allocation on the Ground Floor and First Floor, out of which they have received an amounts of Rs. 18,00,000/- from the Respondents. As such the Complainants are entitled to receive an amount of Rs. 1,47,000/- from the Respondent. The Complainant himself also reported that there has been unauthorized construction made by the Respondent on 2nd and 3rd Floor of the Building. The Complainant made a financial claim for 649 Sq. Ft area amounting to Rs. 16,22,500/- in respect of the said unauthorized construction. But this Authority cannot entertain this claim where the alleged construction has been claimed to be unauthorized by the Complainant himself. As such, the Authority is hereby pleased to give the following order:- A. The Respondent shall pay the Complainant the remaining amount of Rs. 1,47,000/- within 45 (forty-five) days from the date of receiving this order through email.	

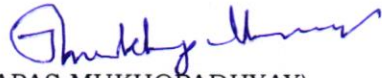
- B. The Complainant shall send his Bank account details to the Respondent within **5(five)** days from the date of receiving this order through email.
- C. The prayer of the Complainant for payment against 649 Sq. Ft allocation on the 2nd and 3rd Floor is hereby dismissed on the ground of alleged unauthorized construction.

In case of non-compliance of the order of the Authority by the Respondent the Complainant is at liberty to file an Execution Application before the Authority as per Execution Regulation.

With this the instant matter is hereby disposed of.


(BHOLANATH DAS)
Member

West Bengal Real Estate Regulatory Authority


(TAPAS MUKHOPADHYAY)
Member

West Bengal Real Estate Regulatory Authority