

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

Complaint No. WBRERA/COM 001397

Rupak Basu Complainant

Vs

MS. Iftesham Seikh, The Director, OAS Realty Pvt. Ltd Respondent


Sl. Number and date of order	Order and signature of the Authority	Note of action taken on order
02 12.03.2026	<p>Complainant along with his Advocate Protim Chakraborty (mobile no:- 9204569959 & email:- protimkumar727@gmail.com) is present in today's hearing physically and signed the attendance sheet.</p> <p>Advocate Rakesh Bhattacharya (mobile no:- 7407559853 and email:- adv.rakesh.dgp@gmail.com) is present in today's hearing physically on behalf of the Respondent and signed the attendance sheet.</p> <p>Respondent submitted a written Response through Affidavit as per the order of the Authority dated 24.09.2025, which has been received by this Authority on 09.10.2025. The Complainant also filed a reply in response to the Affidavit of the Respondent.</p> <p>After hearing both the parties and going through the other documents, the Authority observes that the Complainant made a total payment of Rs. 910920/- which is around 22% of the total consideration value, which the Respondent has collected from the Complainant without entering the Agreement for Sale violating the provision of Section 13(1) of RERA Act, 2016. Even after that the Respondent did not take any action for executing the Agreement for Sale. On the occasion of the first hearing the Respondent admitted that their project has been stopped and they would refund the money invested by the Complainant for which, they prayed for some time. But the submission made by the Respondent is confirming their statement in the first hearing as well as to the relevant provisions of RERA Act and WBRERA Rules.</p> <p>Now, the Authority is hereby pleased to give the following directions: -</p> <p>A. As per provision of Section 18 of Real Estate (Regulation and Development) Act, 2016 read with Rule 18 of WBRERA Rules 2021, the Respondent shall refund the entire amount of Rs. 9,10,920/- to the Complainant Allottee along with interest at the rate SBI PLR plus 2% from the date of payment of the principal amount by the Complainant till the date of realization of the same, by the Respondent, through bank transfer within 45 (forty-five) days from the date of receiving this order of this Authority through email.</p>	

- 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. Respondent is hereby show caused why Section 61 shall not be invoked against them for violation of Section 13(1) of Real Estate (Regulation and Development) Act, 2016. The reply shall reach the office within **10(ten) days** from the date of receiving the order of the Authority through email.
- D. The Authority hereby imposes a penalty of 1% of the total Project cost of the instant project named "Sonar Gaon Phase-II", invoking Section 61 of the Real Estate (Regulation and Development) Act, 2016 for violation of Section 13(1) of the said Act. The Respondent is hereby directed to deposit the said amount within **30 (thirty) days** from the date of receiving this order through email in the account of WBRERA as stated below and report compliance of the above order through notarized Affidavit to the Authority mentioning the total Project cost.

A/c Name:- WEST BENGAL REAL ESTATE REGULATORY
Bank Name:- STATE BANK OF INDIA
A/c number:- 00000042520982210
CIF No:- 90909677334
IFSC number:- SBIN0000001
MICR:- 700002021

With this direction the matter is hereby disposed of.

Let copy of this order be served to both the parties immediately.


(JAYANTA K.R. 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