

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

Complaint No.WBRERA/COM 000718

Merlin Projects Limited Complainant

Vs.

Sunil Sikaria & Anr. Respondent

Sl. Number and date of order	Order and signature of the Authority	Note of action taken on order
03 12.03.2026	<p>Ms. Prachi Gourisaria being Authorized Representative of the Complainant Company is present in the hearing physically filing and signed the Attendance Sheet.</p> <p>Advocate Jayshree Saha is present in the hearing today on behalf of the Respondent through online mode. She is directed to send her hazira immediately after today's hearing.</p> <p>Complainant submitted that in spite of specific direction upon the Respondent in the last order of the Authority dated 28.07.2025, the Respondent has not made the payment within the stipulated time of 3(three) months. As such the Complainant prays before the Authority to allow for cancellation and de-registration of the Agreement for Sale as per terms and Condition of the Agreement for Sale as well as RERA Provisions. However, the Complainant stated that considering the medical ground they will not claim the interest liabilities in the deduction while returning the money invested by the Respondent except deduction of booking amount from the same.</p> <p>The Advocate of the Respondent prayed for a short passover of today's hearing as the Respondent got involved with some family emergency. Heard and rejected the prayer of the Respondent.</p> <p>Now, after hearing both the parties, the Authority is hereby pleased to give the following directions:-</p> <p>A. This Authority has no objection if the Agreement for Sale executed between the parties on 18.08.2022 in regard to the Apartment, Being No-8B, Block-Alya in the project of the Complainant "MERLIN AVANA", is cancelled by the Complainant unilaterally with forfeiture of booking amount and refunding the balance amount, if any, paid by the Complainant as per the Agreement for Sale executed between the</p>	

parties on 18.08.2022, without deducting any interest liabilities, within **45(forty-five) days** from the date of receipt of this order of the Authority through email. However, as agreed by the Complainant they will not

- B. The Deed of Cancellation of the said Agreement for Sale may be registered unilaterally by the Complainant.
- C. The concerned Additional District Sub-Registrar-II of South 24 Parganas shall arrange for de-registration of the said Agreement for Sale dated 28.06.2023 recorded in Book No. I, Volume No. 1602-2023, Pages from 314788 to 314852, being Deed No. 160209324 of 2023, registered at the Office of District Sub-Registrar-II, South 24-Parganas, the said Apartment was registered in favor of the Respondents by the Complainant unilaterally.
- D. After termination of the Allotment of the Respondent and cancellation of the Agreement including de-registration of the same, the Complainant shall be at liberty to allot the flat to any other Person.

With the above directions the matter is hereby disposed of.

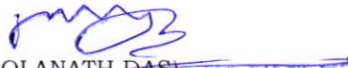
Let copy of this order be served to both the parties immediately.



(JAYANTA KR. 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