

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

Complaint No. WBRERA/(Physical) COM000192

Abhilash Kundu Complainants

Vs

Eden Realty Ventures Private Limited.....Respondent

Sl. Number and date of order	Order and signature of the Authority	Note of action taken on order
01 07.03.2025	The Complainant is present in the hearing physically signing the Attendance Sheet. Advocate Mr. Sanjay Bhattacharya (Mobile - 8442968273 and email id - sanjit240576@gmail.com) is present in the online hearing on behalf of the Respondent filing vakalatnama and hazira through email. Heard both the parties in detail. As per the Complainant he booked a flat along with Smt. Mina Paul in Solaris Joka, Phase 2 project, of the Respondent paying an advance payment of Rs. 95,000/- (ninety-five thousand) as application money. Due to inclusion of Clauses not as per provision of RERA Act and Rules, the Complainant did not agree with the draft Agreement for Sale prepared by the Respondent and wanted to cancel their booking with refund of the payment made by them, but the Respondent forfeited the entire amount paid by the Complainant violating the laws. The Complainant prays for relief of refund by the Respondent the amount of Rs. 95,000/- (ninety-five thousand) paid as advance by the Complainant. The Respondent stated that as per condition let down on the GTC they have forfeited the application money paid by the Complainant due to cancellation of booking by the Complainant. After hearing both the parties, the Authority is pleased to admit this matter for further hearing and order as per the provisions contained in Section 31 of the Real Estate (Regulation and Development) Act, 2016 read with Rule 36 of the West Bengal Real Estate (Regulation and Development) Rules, 2021 and give the following directions: - The Complainant is directed to submit his total submission regarding their Complaint Petition on a Notarized Affidavit annexing therewith notary attested/self-attested supporting documents and a signed copy of the Complaint	

Petition and send the Affidavit (in original) to the Authority serving a copy of the same to the Respondent, both in hard and soft copies, within **21 (twenty-one)** days from the date of receipt of this order of the Authority by email.

The Respondent is hereby directed to submit their Written Response on notarized Affidavit regarding the Complaint Petition and Affidavit of the Complainant, annexing therewith notary attested/self-attested supporting documents, if any, and send the Affidavit (in original) to the Authority serving a copy of the same to the Complainant, both in hard and soft copies, within **28 (twenty-eight)** days from the date of receipt of the Affidavit of the Complainant either by post or by email whichever is earlier.

Fix **16.09.2025** for further hearing and order.

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



(TAPAS MUKHOPADHYAY)

Member

West Bengal Real Estate Regulatory Authority