

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

Complaint No. WBRERA/COM000978-CP

Saikat Khan Complainant.

Vs.

Bengal Shapoorji Housing Development Pvt. Ltd..... Respondents.

Sl. Number and date of order	Order and signature of Authority	Note of action taken on order
03 23.06.2025	The Complainant, Saikat Khan is represented by his Learned Advocate, Arindam Mitra appeared physically at the time of hearing of the instant Complainat by filing hazira. The Respondents, Bengal Shapoorji Housing Development Pvt. Ltd. is represented by the Learned Advocate, Rami Das Chatterjee who appeared online at the time of hearing. She is directed to file hazira and vakalatnama which shall be kept in record. Let the track record of due service of hearing notice of the Respondent be taken on record. The Respondent has submitted the Affidavit in Opposition dated 20.05.2025 in response to the Affidavit filed by the Complainant as per the last Order No. 2 dated 07/05/2025 which has been received by the Authority on 23/05/2025. Let the said Notarized Affidavit of the Respondent be taken on record. The Learned Advocate of the Complainant stated that the Respondent has made inordinate delay to deliver the flat and the Complainant now wants refund of the entire money along with accrued interest as per the Provision of the RERA Act 2016. The Learned Advocate of the Complainant stated that the cause of delay as stated in the Affidavit-in-Opposition is not proper and the same has been made with a malafide intention for making further delay in proceeding. He has also mentioned the page No. 36 of the Affidavit-in-Opposition about the Registration Certificate which is not related to the project. The Learned Advocate appearing on behalf of the Respondent is found making general statement to the complaint in spite of hearing the complainant personally expressing his agony and harassment he received from the respondent expecting a flat from them and depositing his hard earned money as per the demand raised by the respondent from time to time and have failed in their commitment made to the complainant by not yet giving him delivery of the flat	

committed by the respondent in lieu of the payment received from the complainant and further delaying their response upon the issue raised by the complainant of refund of his money paid to the respondent and all relief as enshrined in the said RERA Act 2016 and WBRERA Rules 2021 by submitting general reply to the queries raised by the Ld' Advocate for the complainant and making evasive reply inspite of the fact of receipt of the Affidavit from the complainant and themselves submitting Affidavit in opposition after issuance of this Authority order 2 dated 7th May, 2025 by stating that she is not prepared to answer any more about the queries of the Learned Advocate of the complainant.

The Respondent is not at all prepared to answer anything and the Respondents Advocate joined late after repeated call to them from this office of the instant Complaint hearing and could not give specific response to the any point as raised by the Complainant Advocate.

The Learned Advocate appearing on behalf of the Complainant stated that the Respondent is now trying to harass his client and his client has been suffering mentally so the compensation will be imposed upon the Respondent.

Heard both the parties but due to the non cooperation on the part of the respondent decision could not taken under these compelling circumstances.

The Authority is hereby pleased to direct the Complainant **1(one) week** time to submit Supplementary Affidavit (if any) as per the earlier Order No. 2 dated 07/05/2025 before this Authority and to the Respondent both in hard copy and soft copy and upon receipt of either hard/soft copy of the Affidavit from the complainant, the Respondent is hereby directed to submit Affidavit in response to the said Affidavit filed by the Complainant (if any) within **1 (one) week**. Both shall address the issue raised by the complainant and the relief sought by him.

The complainant is at liberty to file before Adjudicating office for seeking compensation for his mental agony and harassment against the respondent by submitting his application in **form N**.

Fix 3 (three) weeks from this date for further hearing and order.



(JAYANTA KR. BASU)
Chairperson

West Bengal Real Estate Regulatory Authority