

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

Complaint No. WBRERA/COM000932-CP

Merlin Projects Limited Complainant.

Vs.

Manish Kumar Singh. Respondents.

Sl. Number and date of order	Order and signature of Authority	Note of action taken on order
03 23.06.2025	The Complainant, Merlin Projects Limited is represented Prachi Gourisaria and Deepa Das, online in the instant hearing today. They have submitted hazira, and Authorization letter online which should be kept in record. The Respondent, Manish Kumar Singh is absent in today's hearing despite due service of hearing notice through e-mail. The Respondent was absent in the earlier hearings without intimation for his absence inspite of notices been served upon him along with the complainant. The Complainant submitted that they have duly served their Affidavit, copy of the Complaint Petition to the Respondent. The Complainant submitted that the Respondent booked a Flat on their project named 'Merlin Oikyo Phase -I'. The have received the C.C., the Respondent/Allottee only paid 1-0% of the total cost of flat which is Rs.2,34,175/- (inclusive GST) for Flat No. GB, Block- 8 of the said Project. Now the Complainant wants to cancel the booking of the said flat. Three chances have been given to the Respondent for complying with the Orders of this Authority but the Respondent has failed to do so. Three issues have been raised :- 1. The cancellation of the booking; 2. Forfeiture of the booking amount; 3. Why show cause under Section 67 of the RE(R&D), Act, 2016 — Shall not be invoked for willful non-compliance of the Orders. As per the page 38 of the Affidavit filed by the Complainant the last payment was made on 24/7/2023. The Respondent is absent for three days hearing and the Respondent is hereby directed to show cause as to why Section 67 of RE(R&D) Act, 2016 shall not be invoked against him for willful non-compliance of the Authorities' Order	

Nos. 1 dated 09/4/2025, Order No. 2 dated 16.04.2025 and also the notices served upon him.

The complainant stated that in spite of direction upon him vide Order No. 2 dated 16.04.2025 and non response from his end why the Authority shall not cancel the instant booking of his flat executed between him and the Complainant for Flat No. GB, Block – 8 of the Project named 'Merlin Oikyo Phase – I', and forfeiture of 10% of the booking amount of Rs.2, 34,176/- (inclusive GST).

After hearing the complainant the Authority is hereby pleased to give the following directions:-

- a) Either party is given 7 (seven) days time for their submission, if any; and
- b) The Respondent is hereby directed to show cause within 7 (seven) days as to why the Authority shall not cancel the instant booking of his flat executed between him and the Complainant for Flat No. GB, Block – 8 of the Project named 'Merlin Oikyo Phase – I', and order forfeiture of 10% of the booking amount of Rs.2,34,176/- (inclusive GST); and
- c) The Respondent shall submit his Written Response on Notarized Affidavit as per Order No. 1 dated 06/02/2025 and Order No. 2 dated 16.04.2025 within 7 (seven) days otherwise the Authority shall have pass an expartee order;

Fix **next date on 1st July,2025** for further hearing and order.



(JAYANTA KR. BASU)
Chairperson

West Bengal Real Estate Regulatory Authority