

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

Complaint No.WBRERA/COM000698

Sayan Lahiri..... Complainant.

Vs.

Ashiana Construction. Respondent.

Sl. Number and date of order	Order and signature of Authority	Note of action taken on order
07 <u>27.01.2026</u>	<p>Complainant, Sayan Lahiri has informed that he will not be available in today's hearing for some personal reason and asked for reschedule of hearing.</p> <p>Respondent, Ashiana Construction, represented by the Learned Advocate, Neha Gupta, appeared online at the time of hearing of the instant Complaint by submitting hazira online which shall be kept on record.</p> <p>The Respondent has submitted Written Submission on Status of Amenities and Show Cause Notice through an Affidavit dated 21/01/2026 as per direction given in Order No. 6 dated 09.12.2025 which has been received by this Authority on 27.01.2026.</p> <p>The Learned Advocate appearing for the Respondent stated that the amenities as promises under the project are substantially complete, functional and are being used by the residents and details of which has been mentioned in the aforesaid Affidavit. She stated that Gaming Room, Gymnasium, Community Hall and Guest Rooms, two lily pools and Mini Theatre are already completed and the residents therein are availing those facilities. Regarding main swimming pool, a lift and Electrical Infrastructure the work is going on. The Electric Transformer has already been delivered and installed at the site and allied work is being undertaken. She also mentioned the lift in the building of the Complainant is functioning and all the residents are using it with full satisfaction.</p> <p>Regarding delay interest for giving delayed possession to the complainant the Learned Advocate for the Respondent raised the issue of delay in payment by the Complainant and that is only at this stage but the same has not been raised earlier hearings. Regarding C.C. the Respondent's Learned Advocate stated that the concerned Authority has inspected the project and C.C. will be issued in short time. She also stated that the Registration of the Project has been expired on 13thSeptember, 2023 and the Respondent has applied for extension of the Project before this Authority during the continuation of the instant Complaint hearing . The Learned Advocate for the Respondent stated that due to technical fault in Computer of the Respondent all data was deleted so there has been some delay in calculating the delayed payment made by the Complainant after recovering the Data from the Computer. The Learned Advocate for the Respondent</p>	

submitted that this fact is not mentioned in the written Submission on Status of Amenities and Show Cause Notice through an Affidavit dated 21/01/2026 as per direction given in Order No. 6 dated 09.12.2025 which has been received by this Authority on 27.01.2026 or their earlier affidavit.

Now the Authority is of the opinion that the Respondent could not satisfy the Authority regarding violation of Section 63 of the Real Estate (Regulation and Development) Act, 2016 through his Affidavit dated 21/01/2026 as the case made out therein as mere afterthought.

After hearing the Respondent, the Authority is pleased to give the following directions:-

- A. The Respondent is directed to pay a penalty of Rs.500/- (Rupees Five Hundred) only per day for each day of default of compliance of the Orders and notices of this Authority since 08.05.2025 as per the Provision of Section 63 of the Real Estate (Regulation & Development) Act, 2016 and the amount to be deposited to the Bank Account of the Real Estate Regulatory Authority as given below :-

**“ A/c Name : WEST BENGAL REAL ESTATE REGULATORY
Bank Name : STATE BANK OF INDIA.
A/c. Number : 00000042520982210.
CIF No. : 90909677334.
IFSC Code : SBIN0000001.
MICR No. : 700002021.”**

- B. The Respondent is further given **30 (thirty) days** time from the date of receipt of the instant order through email as requested during hearing to complete all the incomplete work of amenities as stated in the Affidavit dated 21/01/2026 and submit a status report at the time of next date of hearing.

Fix after **6 (six) weeks** for next hearing and order.



(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