

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

Complaint No.WBRERA/COM-0000101

Bapi Das Complainant

Vs.

Abhishek Tewari and Sujit Chakraborty Respondents

Sl. Number and date of order	Order and signature of Officer	Note of action taken on order
1 ----- 16.05.2023	<p>Complainant is present in the online hearing filing hazira through email.</p> <p>Respondent is absent despite due service of notice through email. The copy of the notice served through speed post was returned with the message,- "item returned addressee left without instructions".</p> <p>Let the service report be taken on record.</p> <p>Heard the Complainant in detail.</p> <p>As per the Complainant he has booked a low budget apartment of Rs. 6,00,000/- (370 sqft approx.) in 'IRA Paradise Apartment' project situated at Sarmastapur under Poleghat Gram Panchayat, P.S. – Sonarpur, District – South 24 Parganas (W.B) of the developer firm named as 'M/s Kolkata Home Search. The partners of the firm are Mr. Abhishek Tewari along with his wife Mrs. Ruchi Tewari. Another partner was Mr. Pratyush Mukherjee who has resigned. Mr. Sujit Chakraborty is a staff of the firm and he always communicated with the Complainant on behalf of the firm. The Complainant paid total Rs. 2,20,000/- to the Respondent for purchase of the said apartment as mentioned earlier. The date of handing over of the flat was March 2020. As the construction of the project was stopped since long time the Complainant submitted cancellation letter to the Respondent and the Respondent Mr. Tewari online transfered Rs. 35,000/- till date to the Complainant. A cheque of Rs.2,30,000/- was given by the Respondent to the Complainant but the cheque was bounced due to signature mismatch.</p>	

In this Complaint Petition, the Complainant prays for the relief of the refund of Rs. 2,30,000/- from the Respondent along with Compensation at the earliest as per RERA Act and Rules made thereunder.

After hearing both the parties, the Authority is satisfied to admit this matter for further hearing and order.

The Complainant is directed to submit his total submission regarding the Complaint Petition on a Notarized Affidavit annexing therewith notary attested supporting documents and a signed copy of the Complaint Petition and send the original Affidavit to the Authority serving a copy of the same to the Respondent, both in hard and soft copies, within 21 days from the date of receipt of this order through email.

Complainant is further directed to make a prayer in his affidavit to include M/s Kolkata Home Search and Mrs. Ruchi Tewari as Respondents in this Complaint Petition and the Complainant shall provide Mrs. Tewari's address and email id and phone no in the notarized affidavit. He is further directed to provide other addresses and email ids, if any, of the Respondents in his affidavit.

The Respondent is directed to submit his Written Response regarding the Complaint Petition on a Notarized Affidavit annexing therewith notary attested supporting documents, if any, and send the original Affidavit to the Authority serving a copy of the same to the Complainant, both in hard and soft copies, within 15 days from the date of receipt of the Affidavit of the Complainant either by email or by post, whichever is earlier.

Fix **10.07.2023** for further hearing and order.



(SANDIPAN MUKHERJEE)

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