

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

Complaint No. WBRERA/COM001378-C.P.

Avijit Chakraborty. Complainant.

Vs.

Subhas Sarkar.... Respondent.

Sl. Number and date of order	Order and signature of Authority	Note of action taken on order
01 15.07.2025	The Complainant, Avijit Chakraborty appeared physically at the time hearing today. He submitted attendance which should be kept in record. The Respondent, Subhas Sarkar is absent at the time hearing although he was well informed. The Respondent was served notice and he confirmed that he has received notice and confirmed to join today's hearing in the instant Complaint Case online. As he neither sent any intimation further of his nonattendance this Office further communicated to him of his joining the instant hearing then he informed that he would not be able join today thus he has willfully violated the Authority's direction and attracts penalty under Section 63 of the RE(R&D) Act, 2016. The Respondent, Subhas Sarkar is warned and ensure attendance himself or through his Authorized representative either physically or online. Today is the Admission hearing. The Complainant stated that he purchased the Flat from the Respondent in the year 28th February, 2019 and has been living there from the year 2020. The Complainant stated that the main entrance and other construction work have not been made as per the sanction plan of the Municipal Corporation, Completion Certificate has not been handed over to all the flat owners, for lift NOC Form "C" is necessary which has not been given to the Complainant, no outside paint work has been done. The Complainant stated that he has communicated and sent Advocate's Letter to the Respondent for solving their problems but the Respondent did not pay any heed to that effect. So the Complainant has moved before this Authority for resolving his issues. He could not mention whether the said project is registered under WBHIRA or WBRERA. 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 her total submission regarding the Complaint Petition on a Notarized Affidavit mentioning details of complaint and the reliefs sought for annexing therewith notary attested /self-attested copy of	

supporting documents and a signed copy of the Complaint Petition Form 'M' and the relevant documents relating to the pending cases in other Courts relating to the property in question and send the Affidavit (in original) to the Authority serving a copy of the same to the Respondent, both in hard and scan copies, within **1 (one) week** from the date of receipt of this order of the Authority by email.

The Respondent is hereby directed to submit his Written Response on notarized affidavit regarding the Complaint Petition and Affidavit of the Complainant, annexing therewith notary attested/self-attested copy of 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 scan copies, within **1 (one) week** from the date of receipt of the Affidavit of the Complainant either by post or by email whichever is earlier. The Respondent is further directed to produce a certified copy of the Registration Certificate of the project if the same is registered under erstwhile WBHIRA or WBRERA in the Affidavit. The Respondent is directed to show cause as to why Section 63 of the RE (R&D) Act, 2016 should not invoked against him for not complying with the direction of this Authority in the Affidavit.

Fix **4 (four) weeks** for further hearing and order.



(JAYANTA KR. BASU)

Chairperson

West Bengal Real Estate Regulatory Authority