

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

Complaint No.WBRERA/COM001513

Khusbu Agarwal..... Complainant.

Vs.

Greentech IT City Pvt. Ltd..... Respondent.

Sl. Number and date of order	Order and signature of Authority	Note of action taken on order
01 28.01.2026	<p>The Complainant, Khusbu Agarwal, represented by the Learned Advocate, Abhik Chitta Kundu (Phone No. 9830787916 Email ID: abhikchitta1991@gmail.com) appeared online mode at the time of instant hearing. He is requested to file hazira and Vakalatnamawhich shall be kept in record.</p> <p>The Respondent, Greentech IT City Pvt. Ltd, is absent in today's hearing although due notice was served.</p> <p>The Learned Advocate for the Complainant stated that that the Complainant entered into an Agreement for Sale dated 8th July, 2020 with the Respondent for purchasing a 1BHK Flat, i.e. Unit No. F8 on the 8th Floor, Block No. 5 having a super built up area of 650 Sq. ft. along with one car parking space, in the project titled " Smart Home Residency". The project is registered under WBHIRA and the Registration No. is HIRA/P/NOR/2019/000433. The total consideration amount for the said unit, inclusive of parking, was fixed at Rs.19,79,250/- and as per the terms and conditions of the said Agreement for Sale the Complainant has paid a total sum of Rs. 13,62,031 which is approximately 62.5% of the total consideration amount. The Complainant visited the site and the Authorized Representative of the Respondent, Mr. Subrata Chakraborty assured that the said project will be started and completed in due course of time and the possession will be delivered as soon as possible and at present the Respondent is facing financial crunches and when the Respondent will have fund for construction of building. In June, 2023 the Complainant once again followed up, but received no credible response. Thereafter the Complainant cancelled the Agreement and demanded refund of the amount paid by him with interest. The Complainant prayed several time for refund of the said amount but no responses was given by the Respondent. The Complainant issued a legal notice dated 13/05.2025 asking for refund of Rs.13,62,031/- together with interest 18% p.a. till realization date and said legal notice was duly received by the Respondent on 14.05.2025 and thereafter not received any response from the Respondent.</p> <p>The Complainant prayed for refund of Rs.13,62,031/- together with interest 18% p.a. from the respective dates of payment till actual refund along with compensation for mental agony, harassment, and financial loss suffered by</p>	

the Complainant due to non-completion and non-possession of the booked flat and he also prayed for Ad-Interim Order restraining the Respondents from dealing with and/or transferring and/or encumbering and/or creating third party rights in respect of the said flat, forming a part of the residential project, till disposal of the present proceeding and also an Order restraining the Respondent from dealing with and/or operating the bank accounts without leaving aside a sum of Rs;. 13,62,031/-.

After hearing the Complainant, 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:-

- A. The Complainant is directed to submit his total submission regarding the Complaint Petition on a Notarized Affidavit annexing therewith notary attested /self-attested supporting documents and a signed copy of the Complaint Petition in 'M' Form and send the Affidavit (in original) to the Authority serving a copy of the same to the Respondent, both in hard and soft copies, within **2 (two) weeks** from the date of receipt of this order of the Authority by email.

- B. 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 supporting documents, if any, and submit the present status of the instant project enclosing copies of occupancy certificate /completion certificate and also the registration certificate issued from the erstwhile WBHIRA/ WBREERA and send the Affidavit (in original) to the Authority serving a copy of the same to the Complainant, both in hard and soft copies, within **2 (two)weeks** from the date of receipt of the Affidavit of the Complainant either by post or by email whichever is earlier.

- C. The Respondent is hereby directed to comply with the Ad-Interim Order restraining the Respondents from dealing with and/or transferring and/or encumbering and/or creating third party rights in respect of the said flat, forming a part of the residential project, till disposal of the present proceeding and also hereby Order restraining the Respondent from dealing with and/or operating the bank accounts without leaving aside a sum of Rs;. 13,62,031/-.

The next date of hearing is **6 (six) weeks** from date.

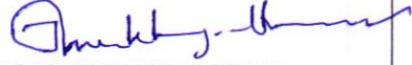


(JAYANTA KR. BASU)
Chairperson
West Bengal Real Estate Regulatory Authority



(BHOLANATH DAS)

Member
West Bengal Real Estate Regulatory Authority



(TAPAS MUKHOPADHYAY)

Member
West Bengal Real Estate Regulatory Authority