

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

Complaint No.WBRERA/COM 001605

Champak BhattacharjeeComplainant

Vs.

M/S Shreeram Enterprise Respondent

Sl. Number and date of order	Order and signature of the Officer	Note of action taken on order
01 28.01.2026	<p>Advocate Avijit Gope (email:- gopeavijit14@gmail.com) is present in the hearing through online mode on behalf of the Complainants by filing hazira and vakalatnama. Mr. Ashok Bhattacharjee, one of the Complainants is present physically.</p> <p>Respondent is absent in today's hearing, without any intimation, despite due service of hearing notice through email.</p> <p>Heard the Complainant in detail.</p> <p>As per the Complainants, they entered into a Development Agreement with the Respondent. But the Respondent did not handover the Owners allocation to the Complainant and also violated different provisions of the said Agreement. A complaint was lodged before this Authority previously vide Complaint No. WBRERA/COM 000150. Upon hearing which, an order was passed by this Authority on 14.05.2025, which was challenged by the Respondent before Hon'ble West Bengal Real Estate Appellate Tribunal (WBREAT). And on hearing, Hon'ble Tribunal set aside the order of the Authority, as there was already a complaint lodged by the Complainant before the Hon'ble State Consumer Disputes Redressal Commission (SCDRC), West Bengal. The Hon'ble Tribunal also stated in that order "However this order will not prevent the Complainant from withdrawing the complaint pending in the Ld. State Consumer Disputes Redressal Commission and filing the same with the Ld. Regulatory Authority and/or with the Ld. Adjudicating Officer in accordance with Law."</p> <p>The Complainant stated that they have withdrawn their Complain from the Hon'ble SCDRC and lodged a fresh complain before this Authority to get relief as per provision of Real Estate (Regulation and Development) Act, 2016.</p> <p>The Complainant prays for the following reliefs:-</p> <ol style="list-style-type: none">The Respondents be directed to handover the possession of the owners allocation as per offer letter date 15.08.2015, totally in habitable condition.To appoint one engineer commissioner so as to assist the Complainants. So that, they can get the appropriate measurement of their Allocation as per agreed term.The Respondents to pay the demurrage amount as per present market value.	

The Complainants also prayed for before this Authority to restrain the Respondent Developer to sell out any portion of the property and/or preparing Agreement for Sale to that effect until handing over the possession of the owners allocation and also to restrain the Respondent Developer to erect any kind of illegal construction or change the nature and character of the property till disposal of this complaint matter.

After hearing, 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 his total submission regarding their Complaint Petition on a Notarized Affidavit annexing therewith notary attested/self-attested supporting documents and a signed copy of the Complaint Petition 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 **21 (twenty-one)** days from the date of receipt of this order of the Authority by email.

The Respondent is hereby directed to submit their 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 send the Affidavit (in original) to the Authority serving a copy of the same to the Complainant, both in hard and soft copies, within **21 (twenty-one)** days from the date of receipt of the Affidavit of the Complainant either by post or by email whichever is earlier.

Respondent is directed not to sell out any portion of the property and also not to erect any kind of illegal construction or change the nature and character of the property until further order by the authority.

Fix **after 8(eight) weeks** for further 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