

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

Complaint No. WBRERA/COM 000470

Rana Das Complainant

Vs

Greentech IT City Pvt. Ltd. Respondent

Sl. Number and date of order	Order and signature of the Authority	Note of action taken on order
Execution 02 18.09.2025	The Complainant prays for an Execution of the order dated 12.12.2024 before the Authority, as the said order has not been complied with by the Respondent. Today is the 2nd day of Execution Hearing. Complainant along with his Advocate Supratic Roy is present in today's hearing on behalf of the Complainant in today's hearing through online mode. Respondent is absent in today's hearing, without any intimation, despite due service of hearing notice through email. Heard the Complainant in detail. The Complainant stated that he has not received any refund of his invested money from the Respondent till to date in spite of Authority order dated 12.12.2024 and also execution order no.1 dated 30.05.2025 given by the Authority. The Respondent was given one month time by the authority vide their order dated 30.05.2025. It was also specifically stated in that order that no further time shall be granted in favour of the Respondent if they fail to comply the order. Now after hearing the Complainant and observing the reluctance on the part of the Respondent, the Authority is of the view that the Respondent not paying any heed to the order of the Authority and they are totally violating the order. Hence, the Authority is pleased to give the direction that the Respondent shall be liable as per section 63 of Real Estate (Regulation and Development) Act, 2016 to pay a penalty of Rs.5,000/- (Rupees five thousand only) per day of default w.e.f. 12.12.2024 up to the date of today's hearing for non-compliance of the final order of the Authority dated 12.12.2024. The Complainant was appraised at the time of hearing that the order dated 12.12.2024 may be executed either by the provision of Rule 25 of the Real Estate (Regulation and Development) Rules, 2021 by sending it to the concerned District Magistrate for recovery of the amount due as per the provisions of Bengal Public	

Demands Recovery Act, 1913 or it may be sent to the Principle Civil Court having jurisdiction to execute the same as per the provisions of Rule 26 of the said Rules.

The Complainant consented for sending this matter for execution to the District Magistrate of the concerned District in whose jurisdiction the said property is situated, as per the provisions contained in section 40 of the Real Estate (Regulation & Development) Act, 2016 read with rule 25 of the West Bengal Real Estate (Regulation & Development) Rules, 2021.

Therefore, this Authority is hereby pleased to send this matter for execution to the District Magistrate of North 24-Parganas to execute this order as per section 40 of the Real Estate (Regulation & Development) Act, 2016 read with rule 25 of the West Bengal Real Estate (Regulation & Development) Rules, 2021. As per rule 25 of the West Bengal Real Estate (Regulation & Development) Rules, 2021, the amounts due shall be recovered by the concerned District Magistrate as arrears of land revenue and shall be recovered in the manner provided in the Bengal Public Demand Recovery Act, 1913 (Bengal Act 3 of 1913) for depositing the same in favour of the Complainant.

The amount of penalty at the rate of Rs.5,000/- (five thousand only) per day for default w.e.f. 12.12.2024 till the date of today's hearing i.e. 18.09.2025 shall also be recovered by the collector and the same shall be arranged to deposit in the following account.

A/c Name:- WEST BENGAL REAL ESTATE REGULATORY
Bank Name:- STATE BANK OF INDIA
A/c number :- 00000042520982210
IFSC number:- SBIN0014524

The Secretary, West Bengal Real Estate Regulatory Authority (WBREERA), is hereby directed to send certified copies of this execution order along with final order dated 12.12.2024 along with copy of the Complaint Petition to the District Magistrate of North 24-Parganas, within 7 (seven) days from today, requesting him to initiate a Certificate Case under the Bengal Public Demand Recovery Act, 1913, as per this order of the Authority.

The District Magistrate North 24-Parganas, is to execute the order dated 12.12.2024 in WBREERA/COM 000470 passed by this Authority, as per the provisions contained in rule 25 of the West Bengal Real Estate (Regulation & Development) Rules, 2021, within a month from the date of receipt of the certified copy of the order dated 12.12.2024 and other documents from the Secretary, WBREERA and send the compliance report to this Authority within six weeks.

It should be mentioned here that in a similar case, the Hon'ble Supreme Court of India, in petition for Special Leave to Appeal (C) No.16908/22, has been pleased to order as follows:-

"We direct, that the Authority shall proceed to execute the order which has been passed in favor of petition expeditiously, within a month from the date of receipt of a certified copy of this order by the executing forum".

As the present matter is similar to that of the matter heard by the Supreme Court of India, as mentioned above, therefore, the Authority directs the District Magistrate of North 24-Parganas, to take necessary action to execute this order

within a month from the date of receipt of certified copy of this order along with other papers and documents from this Authority.

Complainant is at liberty to pursue this matter with the office of the District Magistrate, North 24-Parganas to get refund of the amount as per the order of the Authority.

Let the copy of this order be served to both the parties by speed post and also by email immediately.



(JAYANTA KR. BASU)

Chairperson

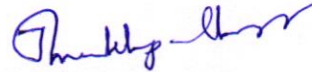
West Bengal Real Estate Regulatory Authority



(BHOLANATH DAS)

Member

West Bengal Real Estate Regulatory Authority



(TAPAS MUKHOPADHYAY)

Member

West Bengal Real Estate Regulatory Authority