

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

Complaint No. WBRERA/COM 000618

Monomita Ganguly & Abhijit Bhattacharya ..... Complainant

Vs

S.E. Builders Realtors Limited..... Respondent

Sl. Number and date of order	Order and signature of the Authority	Note of action taken on order
04 03.02.2026	<p>Advocate Mr. Debdutta Raha (Mob. No. 8240476683 &amp; email id:- <a href="mailto:adv.debdutta.raha@gmail.com">adv.debdutta.raha@gmail.com</a> ) is present in the physical hearing on behalf of the Complainant and signed the attendance sheet.</p> <p>Mr. Rakesh Ranjan, AVP, Legal along with Mr. Piyush Singhanian, GM-CRM and Ms. Moumita Kundu, Sr. Manager Legal (Mobile No:- 9903844131 and email Id:- <a href="mailto:moumita.kundu@ambujanetia.com">moumita.kundu@ambujanetia.com</a> ) is present in the physical hearing on behalf of the Respondent and signed the attendance sheet.</p> <p>Both the complainant and the respondent have complied with the direction issued upon them vide order number 3 dated 20 August 2025. Both further confirmed having received the opposite party's affidavit pursuant to order 3 dated 28 August 2025.</p> <p>Today's arguments and submission by either party is to place before the Authority the compliance of the provisions as mentioned in the Agreement for Sale as executed between the parties dated 8<sup>th</sup> of January 2021 before issuance of the cancellation notice dated 20/08/2022 by the respondent to the complainant in the instant complaint.</p> <p>Heard both the parties in detail.</p> <p>The Representatives on behalf of the Respondent made their submissions of the compliance of the referred Agreement for Sale. Referring to clause (1.2) respondent explained the procedure of raising the demand of payment schedule and the mode of such intimation to the Allottee complainants and other details as elaborated. During the course of their submission they drew before the Authority of the Cancellation notice dated 20/08/2022 referring Annexure document marked C adhering to the provision under clause 9.3 (ii) of the said Agreement for Sale.</p> <p>The Ld' Advocate for the Complainant referred to the affidavit of the respondent dated 24<sup>th</sup> September 2025 and submitted before the Authority of the content vide serial number (b) of page two of the said affidavit and objected to the said statement by the respondent through an Affidavit . The Ld' Advocate for the Complainant stated that this is in contradiction the submission made by his client</p>	

in their form M dated 15/10/2023. The Ld' Advocate for the Complainant further questioned the opposite party to produce and submit relevant document/s to establish before the Authority of their compliance of 9.3(i) before mentioning adherence of clause 9.3 (ii) in the Agreement for Sale as executed between the parties dated 8<sup>th</sup> of January 2021. Respondent could not produce any document in his support to establish the compliance of the provision as mentioned in the said clause 9.3(i) as raised by the Ld' Advocate for the Complainant. The respondent sought further time to make their submission. The Ld' Advocate for the Complainant objected and expressed reservation in this regard. The Ld' Advocate for the Complainant further stated that his clients are ready for compliance of the Agreement for sale executed between the parties.

After hearing both the parties, the Authority is hereby pleased to give the following directions:-

- A. The Respondent shall submit through notarized Affidavit the points raised by the Ld' Advocate for the Complainant in today's hearing along with relevant copies of supporting documents and justify their issuance of the cancellation notice dated 20/08/2022 ,marked Annexure C in their Affidavit after observing the provisions as agreed upon by them vide the Agreement for Sale dated 8<sup>th</sup> of January 2021 and send the same in original to the Authority serving copy to the Complainant both in hard and soft copies within **7(seven)** days from the date of receiving this order through email.
- B. The Complainant is also at liberty to submit a reply to the Affidavit of the respondent and send the same in original to the Authority both in hard and soft copies within **7(seven)** days from the date of receiving Affidavit from the Respondent through speed post or by email whichever is earlier.

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



(JAYANTA KR. BASU)

Chairperson

West Bengal Real Estate Regulatory Authority



(TAPAS MUKHOPADHYAY)

Member

West Bengal Real Estate Regulatory Authority