

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

Complaint No.WBRERA/COM000153

Kamlesh Gandhi.....Complainant

Vs.

Rajesh Jalan..... Respondent

Sl. Number and date of order	Order and signature of Officer	Note of action taken on order
1 ----- 13.06.2023	<p>Ms. Moumita Kumar and Ms. Taniya Saha are present in the online hearing on behalf of the Complainant, being its Authorized Representatives, filing hazira and authorization through email.</p> <p>Advocate Somnath Chattopadhyay and Advocate Anup Kumar Mukhopadhyay are present on behalf of the Respondent (Mr. Rajesh Jalan) in the online hearing filing hazira through email. He is directed to submit his Vakalatnama through email to the Authority immediately after receiving this order of the Authority.</p> <p>Heard both the parties in detail.</p> <p>As per the Complainant, the Respondent has booked a unit being No. 1-11,B in the project 'Navyom' of the Complainant-Promoter. Thereafter, the Agreement for Sale was executed between the parties on 27.08.2021. Total consideration of the unit is Rs.1,84,86,602/-.</p> <p>The Respondent has availing a Home Loan from the ICICI Bank, Shyambazer Branch, to assist for the payment for the said unit. But there has been default for payment from the Respondent from his own share of payment.</p>	

The Complainant prayed for cancellation of the allotment of the Respondent on the grounds of default of payment and release of the said unit for further sale.

After hearing both the parties, the Authority is satisfied to admit this matter for further hearing and order.

The Complainant has made a prayer at the time of hearing to add ICICI Bank Ltd., as one of the Respondent for proper adjudication of this matter.

Considered the prayer of the Complainant at the time of hearing.

The Complainant is hereby directed to submit a Petition on Notarized Affidavit to include ICICI Bank Ltd., as one of the Respondent in this Complaint Petition and send the same to the Authority serving a copy of the same to the Respondent, within 7 days from the date of receipt of this order of the Authority by email.

The Complainant is further directed to submit his total submission regarding this Complaint Petition on a Notarized Affidavit annexing therewith notary attested supporting documents, if any, and a signed copy of the Complaint Petition and send the original Affidavit to the Authority serving a copy of the same to the Respondent, both in hard and soft copies, within 15 days from the date of receipt of this order through email.

The Complainant is hereby also directed to send a scan copy of the Complaint Petition along with annexure to the email ID of the Advocate of the Respondent immediately after receiving this order of the Authority. The email ID of the Advocate of the Respondent Mr. Somnath Chattopadhyay is given below:-

som07dc@gmail.com

The Respondent is directed to submit his Written Response on Notarized Affidavit regarding this Complaint Petition and Affidavit of the Complainant, annexing therewith notary attested supporting documents, if any, and send the original Affidavit to the Authority serving a copy of the same to the Complainant, both in hard and soft copies, within 15 days from the date of receipt of the Affidavit of the Complainant by post or by email whichever is earlier.

Fix **04.08.2023** for further hearing and order.

Sd/-

(SANDIPAN MUKHERJEE)

Chairperson

West Bengal Real Estate Regulatory Authority

Sd/-

(BHOLANATH DAS)

Member

West Bengal Real Estate Regulatory Authority

Sd/-

(TAPAS MUKHOPADHYAY)

Member

West Bengal Real Estate Regulatory Authority

Certified to be true copy.

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13.06.2023

Special Law Officer
West Bengal Real Estate Regulatory Authority