

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/COM000942

Soumendra Nath Banerjee..... Complainant

Vs

Ranajit Mondal, Manash Chakraborty & Hasimuddin Sekh.....Respondents

| Sl. Number and date of order | Order and signature of the Authority  | Note of action taken on order |
|------------------------------|---|-------------------------------|
| 03<br>30.03.2026             | <p>Complainant is present in the physical hearing and signed the Attendance Sheet.</p> <p>Complainants Mr. Ranajit Mondal and Mr. Manash Chakraborty along with their Advocate Jagadish Das are present in today's hearing physically and signed the attendance sheet.</p> <p>Respondent submitted an affidavit which has been received on 09.09.2025.</p> <p>Heard both the parties in detail.</p> <p>Respondent through their Affidavit as well as through oral submission raised a point of maintainability of the instant complaint matter on the ground of provision of a clause of arbitration in the Agreement for Sale as per Arbitration and Conciliation Act, 1996 and prayed for rejection of the instant complaint matter. Heard and rejected the prayer of the Respondent as the Real Estate (Regulation and Development) Act, 2016 is specifically enacted in the year 2016 to redress disputes and to protect the interest of consumers in the Real estate sectors having the power of overriding effect as per provision of section 89 of the Act.</p> <p>The Respondent in their affidavit admitted that their project has not been completed. As such, Respondent has not abided with the provision of Section 3 of the Real Estate(Regulation &amp; Development) Act, 2016.</p> <p>Now, after hearing both the parties, the Authority is hereby pleased to give the following directions:-</p> <p>A. The Complainant is at liberty to file rejoinder Affidavit in response to the affidavit of the Respondent and submit the same within <b>3(three) weeks</b> from the date of receiving the order through email.</p> <p>B. The Respondent is show caused why penalty shall not be invoked against them as per section 59 of the Real Estate (Regulation and Development) Act, 2016 for violation the provision of section 3 of the</p> |                               |

Act and send the same in original to the Authority within **15(fifteen)** days from the date of receiving the order through email.

Fix **after 5(five) 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