

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

Complaint No. WBRERA/COM 000216

Sekhar Ray Complainant

Vs

Eden Real Estates Private LimitedRespondent

Sl. Number and date of order	Order and signature of the Authority	Note of action taken on order
04 31.07.2025	Advocate Shri Abhik Nandi is present in today's hearing through online mode on behalf of the Complainant and signed the attendance sheet. Advocate Smt. Sanjukta Ray is present in the hearing today through online mode on behalf of the Respondent Company filing hazira and vakalatnama and signed the attendance sheet. Respondent submitted two supplementary Affidavits dated 10.03.2025 and 24.07.2025 respectively, which has been received by this Authority on 12.03.2025 and 25.07.2025. The Advocate of the Complainant stated that they did not received the copy of the supplementary Affidavit dated 24.07.2025 from the Respondent. The Respondent is directed to send a copy of the same to the Complainant. The Respondent stated that Apartment Owner's Association namely "The Eden Association of Apartment Owners" has already been formed on 28.06.2025 in accordance with West Bengal Apartment Ownership Act 1972. The Respondent has annexed relevant documents in this context o their Affidavit. After hearing both the parties, the Authority is of the opinion that process of formation of Association has already been completed under the West Bengal Apartment Ownership Act, 1972, construction of additional towers, as alleged, has been done with proper approval of the Authority and collection of camp charges was being done by the promoter for maintenance of the project and therefore, the Authority is hereby pleased to give the following directions:- A. Formation of Association under the Apartment Ownership Act, which was the main demand of the Complainant has been formed and therefore, the complaint does not exist. B. The construction of additional tower has been done with prior approval of the Authority and getting the plan sanctioned by the concerned municipality. Hence, question of unauthorized construction and encroachment do not arise.	

C. The Respondent promoter shall handover the physical possession of the entire project including all assets and liabilities, Books of Accounts , all documents related to construction of project etc. to the Association, formed under the Apartment Ownership Act within **3(three)** months from the date of receiving this order through email or by post, whichever is earlier.

With this direction the instant complaint petition is hereby disposed of.


(BHOLANATH DAS)
Member

West Bengal Real Estate Regulatory Authority


(TAPAS MUKHOPADHYAY)
Member

West Bengal Real Estate Regulatory Authority