

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

Complaint No.WBRERA/COM000480

Niharendu Dutta.....Complainant

Vs

Biswajit Ray.....Respondent

Sl. Number and date of order	Order and signature of the Authority	Note of action taken on order
02 24.09.2024	<p>Complainant Mr. Niharendu Dutta (Mob. No. 7004763989 & email Id: niharendu.dutta126@gmail.com) alongwith his Advocate Smt. Nandita Banerjee (Mob. No. 9830761977 & email Id: nandita.b06@gmail.com) are present in the physical hearing, filing vakalatnama and signed the Attendance Sheet.</p> <p>Advocate Mr. Palash Nandi (Mob. No. 9831045270 & email Id: adv.palashnandi@gmail.com) is present in the physical hearing today on behalf of the Respondent filing Vakalatnama and signed the Attendance Sheet.</p> <p>The Complainant submitted a Notarized Affidavit dated 01.07.2024, containing his full submission regarding the Complaint Petition, as per the last order of the Authority dated 26.06.2024, which has been received by this Authority on 08.07.2024.</p> <p>Let the said Notarized Affidavit of the Complainant be taken on record.</p> <p>The Complainant also submitted an Affidavit of Service which has been received by this Authority on 08.07.2024.</p> <p>Let the said Affidavit of Service be taken on record.</p> <p>Heard both the parties in detail.</p> <p>The Advocate of the Complainant stated at the time of hearing that as per the last order of the Authority, they have sent their Affidavit alongwith annexure to the Respondent by speed post and also by email but the item has been returned with the remark "Refused". She stated that the Speed Post containing their Affidavit has been returned with remark "Refused" from the Respondent and she also stated that "Refused" is considered to be a good service of the said Speed Post on the Respondent according to Order V Rule 9 of the Code of Civil Procedure, 1908.</p> <p>The Advocate of the Respondent stated at the time of hearing that he is newly appointed in this case and he is not aware of the facts of the case and he prayed for a short time before this Authority for submitting Written Response on</p>	

Affidavit. He stated that due to anomaly of the Respondent's office address the Speed Post sent by Complainant has been returned.

The Complainant handed over a copy of his Notarized Affidavit alongwith annexure to the Advocate of the Respondent at the time of hearing today and the Advocate of the Respondent received the same.

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

- a) The Respondent is hereby directed to submit by email to the Authority and also to the Complainant, the authentic official address of the Respondent Promoter Company, within **7 days** from the date of receipt of this order of the Authority through email, for future correspondences in this matter.
- b) The Respondent shall submit its Written Response on Notarized Affidavit regarding the Complaint Petition and Affidavit of the Complainant, annexing therewith notary attested/self-attested copy of supporting documents, if any, and send the Affidavit (in original) to the Authority serving a copy of the same to the Complainant, both in hard and scan copies, within **15 (fifteen)** days from the date of receipt of this order of the Authority through email.

Fix **06.02.2025** for further hearing and order.



(JAYANTA KR. BASU)

Chairperson

West Bengal Real Estate Regulatory Authority



(TAPAS MUKHOPADHYAY)

Member

West Bengal Real Estate Regulatory Authority