

Calcutta Greens Commercial Complex (1st Floor)
1050/2, Survey Park, Kolkata- 700 075

Complaint No.WBRERA/COM (Physical) 000134

Dr. Samaresh Chandra Das, President Sunny Fort Association of Apartment
Owners Complainant

Vs.

Jamshed Ali Molla, Director, Sunny Rock Restates and Developers Private
Limited Respondent 1

Sl. Number and date of order	Order and signature of the Officer	Note of action taken on order
06 07.05.2025	Advocate Suranjan Kundu (ph:- 8910358172 and email:- sunnyfort.association@gmail.com, kundusuranjan@yahoo.com) is present in the physical hearing on behalf of the Complainant filing Vakalatnama and signing the Attendance Sheet. Advocate Mr. Tirthajit Roychowdhury along with his senior Mr. Roshan Sengupta is present on behalf of the Respondent through online mode. Heard both the parties in detail. The Respondent submitted a petition for time/adjournment of today's hearing stating that they have preferred a writ petition before the Hon'ble High Court at Calcutta challenging the instant complaint petition, which has been filed today that is May, 07, 2025 and numbered WPA number 10481 of 2025. They also submitted a copy of case details downloaded from the website. The Complainant submitted that any appeal against the Authority order can be preferred before the Real Estate Tribunal only as per section 43(5) of Real Estate (Regulation and Development) Act, 2016. He further pointed out that the Respondent has violated several orders of this Authority dated 03.09.2024, 31.01.2025, and 27.02.2025 through which they were directed to submit their Affidavit in response to	

the complaint petition.

The Respondent is deliberately violating the order causing inordinate delay in disposing this complaint petition resulting immense hardship to the allottees of the allottee members of the complainant association who are deprived of getting different infrastructural and maintenance services as per provision of agreement by the Respondent.

The Complainant prayed for stringent action imposing against the Respondent for non-compliance of the order.

After hearing both the parties, the Authority is of the considered view that as there is no stay order imposed by the Hon'ble High Court at Calcutta in the instance case, this Authority may proceed with this hearing.

Now the Authority is hereby pleased to give the following directions:-

- A. The Respondent is hereby given the last chance to submit their notarized Affidavit in response to the Affidavit of Complainant as per last order of the Authority dated 26.03.2025 within **21 (twenty one)** days from the date of receipt of this order, failing which, this matter will be heard ex-parte for issuance of order.
- B. The Respondent is further directed to deposit the penalty amount as directed vide the previous order dated 26.03.2025 within **3 (three)** weeks from the date of receipt of this order through email.

Fix **17.07.2025** for further hearing and order.


(BHOLANATH DAS)
Member

West Bengal Real Estate Regulatory Authority


(TAPAS MUKHOPADHYAY)
Member

West Bengal Real Estate Regulatory Authority