

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

Complaint No.WBRERA/COM001157

Apurba Chatterjee..... Complainant

Vs

Leap Infraprojects Limited..... Respondent

Sl. Number and date of order	Order and signature of the Authority	Note of action taken on order
01 16.01.2025	<p>Complainant alongwith his Advocate Mr. Pankaj Biswas (Mob. No. 9123876963 & email Id: advpankajbiswas15@gmail.com) are present in the physical hearing filing vakalatnama and signed the Attendance Sheet.</p> <p>Advocate Smt. Soma Chakraborty (Mob. No. 9331247633 and email Id: somalaw.singhania@gmail.com) is present in the physical hearing on behalf of the Respondent filing vakalatnama and signed the Attendance Sheet.</p> <p>Heard both the parties in detail.</p> <p>As per the Complainant the fact of the case is that,-</p> <p>That one LEAP INFRA PROJECTS LIMITED (CIN: U70109WB2012PLC180489) at Diamond Prestige, Unit No. 611, 6th Floor, 41A, A.J.C. Bose Road, Police Station - Park Street, Kolkata - 700017 also having its registered office at 5th, FLOOR, ROOM NO. 513/M-1, DIAMOND HERITEAGE, 16, STRAND ROAD, NORTH PORT, KOLKATA - 700001 bearing PROJECT REGISTRATION NO. WBRERA/P/SOU/2023/000586 fraudulently trying to encroach the part of the land of the Complainant as lying and situated at R.S.Dag No. 1242 under appertaining to R.S. Khatian 1496 arising out of Original R.S. Khatian No. 1132 in Mouza - Barhansh Fartabad, J.L. 47, District - South 24 Parganas, West Bengal, Pincode - 700084, Block- Sonarpur, Within the Limits of Rajpur - Sonarpur Municipality.</p> <p>That on 04.05.2024 after being convinced that LEAP INFRA PROJECTS LIMITED (CIN: U70109WB2012PLC180489) has adopted fraudulent practices to throw him out of his ownership has intentionally acquired the land in excess of the existing legitimate shares of their alleged vendor / pre-decessor - in interest and without having obtained title clearance started the project work and started booking of flats, apartment and or other commercial units having total SUPER-BUILTUP AREA OF 24443 SQ. Fts. ERECTING G+IV STORIED BUILDING, and trying to erect such structure on the land fully owned by him.</p> <p>False information submitted by the Promoter through various</p>	

deeds and declarations.

As he is the actual owner of land measuring 9.75 Decimal in R.S. and L.R. Dag No. 1242 under L.R. Khatian No. 4720 and he has the title of the property from R.S. Owner Sarada Prasad Chattopadhyay but the Promoter has purchased wrongfully from legal heirs of Alok Mitra and ENCROACHED his land producing false deeds and illicit title of the property.

The Complainant prays before the Authority for the following reliefs:-

1. To Cancel the RERA registration of the project WB RERA/P/SOU/2023/000586.

2. To Revoke the registration of the project vide PROJECT REGISTRATION NO. WBRERA/P/SOU/2023/000586 approved under WBRERA, under Section 8 of THE REAL ESTATE (REGULATION AND DEVELOPMENT) ACT, 2016, and TO REVOKE the registration vide PROJECT REGISTRATION NO. HIRA/P/SOU/2018/000294 approved under WBHIRA,

3. To Restrict publication of name, brand and area chart of selling of flat/unit/car parking space in the Holding No. 684, Paschim Mahamayapur Road, District - South 24 Parganas, West Bengal, Kolkata - 700084, and

4. To Appoint such adjudicating officer who will visit the site and make its inquiry report to be submitted to the Ld. Court/Forum having jurisdiction, and

5. To Direct the builder LEAP INFRAPROJECTS LIMITED to adhere the provision of THE REAL ESTATE (REGULATION AND DEVELOPMENT) ACT, 2016 read with WEST BENGAL REAL ESTATE REGULATIONS.

6. To Restrict the builder LEAP INFRAPROJECTS LIMITED for constructing and selling, transferring the title of the undivided proportionate share of land in R.S. Dag & L.R. Dag No. 1242 submitting the infructuous boundary declaration with impediments until and unless partition of land is succeeded for the interest of justice.

7. To Restrict the Promoter sell, transfer and convey the flats and undivided proportionate share of land in RS and LR Dag No. 1242 in Mouza Barhansh Fartabad, Block Sonarpur, JL 47, District South 24Parganas,

8. To Restrict the Promoter to advertise it's brand and name for selling the flats and unit comprising the RS DAG no. 1242.

9. To Penalise the Promoter for production of false information and deeds and establishing wrongful title of the property.

After hearing both the parties, the Authority is pleased to admit this matter for further hearing and order as per the provisions contained in Section 31 of the Real Estate (Regulation and Development) Act, 2016 read with Rule 36 of the West Bengal Real Estate (Regulation and Development)

Rules, 2021 and give the following directions:-

The Complainant is directed to submit his total submission regarding the Complaint Petition on a Notarized Affidavit annexing therewith notary attested /self-attested copy of supporting documents and a signed copy of the Complaint Petition and send the Affidavit (in original) to the Authority serving a copy of the same to the Respondent, both in hard and scan copies, within **7 (seven)** days from the date of receipt of this order of the Authority by email.

The Complainant is directed to send a scan copy of the Complaint Petition alongwith notarized affidavit to the email Id of the Advocate of the Respondent, as mentioned above.

The Respondent is hereby directed to 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 **7 (seven)** days from the date of receipt of the Affidavit of the Complainant either by post or by email whichever is earlier.

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


(BHOLANATH DAS)

Member

West Bengal Real Estate Regulatory Authority


(TAPAS MUKHOPADHYAY)

Member

West Bengal Real Estate Regulatory Authority