

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

Complaint No. WBRERA/COM 001491

Merlin Projects Limited Complainant

Vs

Suranjita Das Respondent

Sl. Number and date of order	Order and signature of the Authority	Note of action taken on order
01 11.02.2026	<p>Smt. Deepa Das (mobile no :-9836301188 and email id:-deepa.das@merlinprojects.com) and Ms. Prachi Gourisaria (email:-prachi.gourisaria@merlinproject.com) being Authorized Representatives of the Complainant Company present in the hearing physically filing hazira and signed the Attendance Sheet</p> <p>Respondent is absent in the hearing, despite due service of the hearing notice through email.</p> <p>Heard the Complainant in detail.</p> <p>The Complainant stated that the Respondent applied for allotment of a flat in the Project "Merlin Skygaze" and was allotted an Apartment Being No. 14F, Block-1 with basement car parking for a consideration value of Rs. 53,26,585/-. The allotment letter was issue in favour of the Respondent on 01.06.2022 and execution of Agreement for Sale was made on 09.06.2022. The Respondent has paid a total sum of Rs. 21,42,568.38/- (including taxes) out of the total consideration. And out of the total demand raised for Rs. 3992366/- against the said unit till 30.09.2023. Thereafter the respondent issued three checks in favour of the Complainant on 23.08.2024, 09.12.2024, 17.12.2024 but all those cheques were dishonored.</p> <p>The Complainant issued a legal notice to the Respondent demanding clearance of dues giving 30 days time on 11.02.2025. Thereafter the Respondent issued a termination notice on 26.03.2025 giving a final timeline for clearance of dues by 25.04.2025. On 25.04.2025 the Respondent requested extension for payment and through email dated 28.04.2025 assured to clear all the outstanding dues by 12.05.2025, which was allowed by the Complainant. But the Respondent failed to keep their commitment. So the Complainant issued cancellation notice on 23.05.2025 asking the Respondent to initiate cancellation and collect refund. Till date no response or compliance has been made by the Respondent.</p>	

The Complainant prayed for the reliefs:-

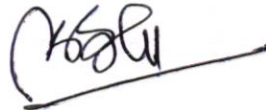
- a) Declaration that the Agreement for Sale dated 09.06.2022 is void ab initio, invalid and unenforceable due to the Respondent failure to fulfill its financial obligations under the Agreement.
- b) An order for cancellation of the said Agreement for Sale.
- c) A perpetual injunction restraining the Respondent, its agents or assigns from acting upon or enforcing the said Agreement.
- d) A temporary injunction restraining the Respondent from relying upon the said Agreement pending final adjudication of the dispute.
- e) An order directing the Respondent to pay the outstanding dues along with applicable interest.
- f) Any other relief this Hon'ble Authority may deem fit and proper in the circumstances.

After hearing the Complainant, 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 their Complaint Petition on a Notarized Affidavit annexing therewith notary attested/self-attested 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 soft copies, within **10 (ten)** days from the date of receipt of this order of the Authority by email.

The Respondent is hereby directed to submit their Written Response on notarized affidavit regarding the Complaint Petition and Affidavit of the Complainant, annexing therewith notary attested/self-attested 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 soft copies, within **10 (ten)** days from the date of receipt of the Affidavit of the Complainant either by post or by email whichever is earlier.


Fix after **6(six) weeks** for further hearing and order.



(JAYANTA KR. BASU)

Chairperson

West Bengal Real Estate Regulatory Authority



(BHOLANATH DAS)
Member

West Bengal Real Estate Regulatory Authority



(TAPAS MUKHOPADHYAY)
Member

West Bengal Real Estate Regulatory Authority