

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

Complaint No. WBRERA/COM 001504

Sharib Ahmed Complainant

Vs

MAC Developers Private Limited Respondent


Sl. Number and date of order	Order and signature of the Authority	Note of action taken on order
01 11.02.2026	<p>Ld' Advocate Vinit Sharma (mobile no:- 6290088215 and email id:- advocate1319@gmail.com) is present in today's hearing physically on behalf of the Complainant by filing vakalatnama and signing the attendance sheet.</p> <p>Respondent is absent in the hearing, without any prior intimation, despite due service of the hearing notice through email.</p> <p>Heard the Complainant in detail.</p> <p>The Ld' Advocate Vinit Sharma for the Complainant stated that the Respondent "MAC Developers Private Limited" represented by its director Mr. Anjan Mukherjee and Mr. Prativ Biswas cheated and defrauded the Complainant, the buyer of the flat in the Project "Jindal Estate" by not completing the project as per brochure circulated during the time of booking as well as before leaving the Project without completing the following works:-</p> <ul style="list-style-type: none"> • Common staff toilets on the Ground Floor of the building • Beautification/finishing work on the common areas • Separation of the commercial and residential area • Unfinished work of stair cases • Putty finish paint upon the boundary wall of the Project • Final weather coating paint of the entire building • Installation of Fans in the community hall as well as in the office rooms • Shifting of transformer areas from the open parking areas • Allocation and construction of garbage areas on the Ground Floor • Beautification work of the terrace/roof areas • Completion of the Entrance areas of the main gate. • Resolution of the water lodging issues on the driveway of the backside of the building 	

the said project

- Renewal of firefighting equipment

The Ld' Advocate further submitted that though plan was sanctioned for construction of 36 flats/ apartments in the said project , the Project "Jindal Estate" include additional building shown for commercial purposes and used for industrial purposes at present.

The Complainant prayed for the following reliefs:-

- To direct the Respondents to complete the unfinished work of the project of the common areas as per the brochure and/or as per the deed
- To direct the Respondents to demarcate the commercial areas by way boundary wall /gate so that the safety and security of the residential flat owners cannot be compromised.
- To direct the Respondents not to use the commercial building i.e. Block B for any industrial purposes 
- To direct the Respondents not to use the backside of the driveway meant for residential areas for any industrial and commercial purposes
- To direct the Respondents to maintain the common areas and common facilities till the formation of the Owner's Association and to take appropriate steps for formation and registration of the Association as per the West Bengal Apartment Ownership Act.
- To direct the Respondents to reimburse the payment of AMC of the lifts till October, 2025, which was paid by the Complainant under compelling situation.
- To direct the Respondents not to create any 3rd party interest upon common areas especially upon underground water reservoir.
- To direct the Respondents to refill the expired firefighting extinguishers and update the license of the firefighting systems of the building.
- To direct the Respondent not to create an/or sell out nay car parking areas to outsiders.
- To direct the Respondents to make the payment of compensation to the complainant for delay of completion of the common areas of the project and failure to maintain the project till the date of formation of owners association under the West Bengal Ownership Act.
- To pass such further or other reliefs as this Learned Tribunal may deem fit and proper.

The Complainant also prayed for the interim order of the following:-

- To direct all the Respondents not to create any 3rd party interest upon common areas especially upon underground water reservoir.
- To direct the Respondents not to create and/or sell out any car parking areas to non-flat owners.
- To direct the Respondents to demarcate the commercial areas and residential by way boundary wall/gate so that the safety and security of the Residential lat owners cannot be compromised.
- To direct the Respondents not to use the commercial building i.e. Block B for any industrial purposes.
- To direct Respondent not to use the backside of the driveway meant for residential areas for any industrial and commercial purposes.

areas to non-flat owners.

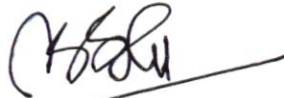
- c) To direct the Respondents to demarcate the commercial areas and residential by way boundary wall/gate so that the safety and security of the Residential flat owners cannot be compromised.
- d) To direct the Respondents not to use the commercial building i.e. Block B for any industrial purposes.
- e) To direct Respondent not to use the backside of the driveway meant for residential areas for any industrial and commercial purposes.

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: -

- A. Let "MAC Developers Private Limited" be recorded as Respondent No.1.
- B. Let Mr. Anjan Mukherjee and Mr. Prativ Biswas be recorded as Respondent No.2 and 3 respectively.
- C. 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 **14 (fourteen)** days from the date of receipt of this order of the Authority by email.

D. 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 also notary attested/self-attested copy of WBREERA Registration Certificate and Completion Certificate of the Project, and send the same (in original) to the Authority serving a copy to the Complainant, both in hard and soft copies, within **14 (fourteen)** 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