

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

Complaint No. WBRERA/COM000754

Kunal Sharma..... Complainant

Vs

Sakshi Ganga Realtors Pvt. Ltd... Respondent

Sl. Number and date of order	Order and signature of the Authority	Note of action taken on order
02 23.10.2024	<p>Complainant is present in the online hearing filing hazira through email.</p> <p>Respondent is absent in the online hearing despite due service of hearing notice to the Respondent through speed post and also by email.</p> <p>Let the track record of due service of hearing notice to the Respondent be kept on record.</p> <p>The Complainant submitted Notarized Affidavit dated 13.08.2024, containing his total submission regarding this Complaint Petition, as per the last order of the Authority dated 05.07.2024, which has been received by this Authority on 14.08.2024.</p> <p>Let the said Affidavit of the Complainant be taken on record.</p> <p>The Respondent did not submit any Written Response on Notarized Affidavit till date as per the last order of the Authority dated 05.07.2024.</p> <p>Heard the Complainant in detail.</p> <p>The Complainant stated at the time of hearing that he has got possession of the said flat in January 2023 and registration of the said flat has been done in favour of him in the year 2022 but till date most of the common facilities and amenities, as per Sale Agreement, in this said project have not been completed by the Respondent-Promoter.</p> <p>The Complainant also stated that he has not received any Written Response from the Respondent till date and he has duly sent his Affidavit to the Respondent as per the last order of the Authority.</p> <p>After hearing the Complainant and taking into consideration the Affidavit of the Complainant dated 13.08.2024, the Authority is hereby pleased to give the following directions:-</p> <p>a) The Respondent shall submit its Written Response on Notarized Affidavit, regarding the Complaint Petition and Affidavit of the</p>	


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 **21 (twenty-one) days** from the date of receipt of this order of the Authority through email; and

It is the last chance given to the Respondent, if the Respondent did not submit Affidavit within the stipulated time period, as mentioned above, no more chance/time shall be given to the Respondent to submit its Written Response on Notarized Affidavit as the Authority is under the obligation to dispose of the matters before it as expeditiously as possible as per section 29(4) of the Real Estate (Regulation and Development) Act, 2016; and

- b) The Respondent is also directed to show cause in its Affidavit why it has not complied the order of this Authority dated 05.07.2024 by non-submission of the Affidavit within the stipulated period and why a **penalty of Rs.1,00,000/-** shall not be imposed upon him for such non-compliance; and
- c) The **Respondent** is also directed to **appear positively**, either in person or through Authorized Representative, on the next date of hearing, failing which, the Authority may proceed with ex-parte hearing and disposal of this matter for the ends of speedy disposal of justice; and
- d) The **Complainant** shall submit a Notarized **Affidavit-of-Service**, stating the details of service of the Complaint Petition and his Affidavit by post and also by email to the Respondent, and send it to the Authority (in original), serving a copy of the same to the Respondent, within **15 (fifteen) days** from the date of receipt of this order of the Authority through email; and
- e) The **Secretary, WBRERA** is hereby directed to take necessary steps immediately, as per the provisions contained in section 3 read with section 59 of the Real Estate (Regulation and Development) Act, 2016, against the Respondent-Promoter Company for non-Registration of the project '**LINGHAM GANGES**' with erstwhile WBHIRA / WBRERA.

On the next date, hearing shall be held physically at the office of WBRERA.

Fix **17.12.2024** for further hearing and order.


(BHOLANATH DAS)
Member

West Bengal Real Estate Regulatory Authority


(TAPAS MUKHOPADHYAY)
Member

West Bengal Real Estate Regulatory Authority