

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

Complaint No.COM000560 (erstwhile WBHIRA)

Rupa Das..... Complainant

Vs.

M/s. Cancun Construction..... Respondent no. 1

India Bulls..... Respondent no. 2

Sl. Number and date of order	Order and signature of Officer	Note of action taken on order
02 12.09.2023	<p>Prasanta Kumar Das, husband of the Complainant, being Authorized Representative of the Complainant, is present in the online hearing filing hazira and authorization through email.</p> <p>This Authority allowed the Representation of husband of the Complainant today in the online hearing in the interest of disposal of this matter expeditiously but in future Complainant is directed to either appear in person or through Advocate or Chartered Accountant as per the Provisions contained in section 56 of the Real Estate (Regulation and Development) Act, 2016.</p> <p>Respondent is absent despite due service of hearing notice through speed post and also email.</p> <p>Let the track record of the due service of the hearing notice to the Respondent be taken on record.</p> <p>The Complainant submitted Notarized Affidavit dated 07.08.2023, containing his submission regarding this Complaint Petition, as per the last order of the Authority dated 03.08.2023, which has been received by this Authority on 11.08.2023.</p>	

Let the said Affidavit of the Complainant be taken on record.

Complainant at the time of hearing today prayed for necessary permission for submission of a Supplementary Affidavit in this matter.

After hearing the Complainant, the Authority is pleased to direct the following :-

- a) Let India Bulls be included as Respondent no. 2 in the present matter because as per the Complainant it was the Marketing Agent in the present transaction and it has received money from the Complainant; and
- b) Complainant is directed to send a copy of his Affidavit dated 07.08.2023 to the Respondent no.2, both in hard and soft copies, within 15 days from today; and
- c) Complainant is directed to submit a supplementary Notarized Affidavit, containing his total submission regarding this Complaint Petition and send the Affidavit to the Authority serving a copy of the same to the Respondent no. 1 and 2, both in hard and soft copies, within 15 days from today; and
- d) Complainant is further directed to submit an Affidavit of service containing the details of service of Affidavit alongwith Complaint Petition to the Respondent no. 1 and 2 within 15 days from today ;and
- e) Respondent no. 1 and 2 is hereby directed to file Written Response on Notarized Affidavit against the Affidavit and Supplementary Affidavit of the Complainant and send the Original Affidavit to the Authority serving a copy of the same to the Complainant, both in hard and soft copies, within 15 days from the date of receipt of the Supplementary Affidavit of the Complainant either by post or by email whichever is earlier; and
- f) Respondent no. 1 and 2 is further directed to appear

positively on the next date of hearing, failing which, the Authority shall have no other option but to proceed with ex-parte hearing and disposal of this matter on the next date of hearing for quick disposal of justice as per section 29(4) of the RERA Act, 2016.

Fix **04.01.2024** for further hearing and order.



((SANDIPAN MUKHERJEE)

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