

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

Complaint No. WBRERA/COM000775

Manish Srivastava ..... Complainant

Vs


Bengal Emami Housing Limited.....Respondent

Sl. Number and date of order	Order and signature of the Authority	Note of action taken on order
04 21.05.2025	<p>Advocate Badrul Karim (Mobile - 7076994749, email - <a href="mailto:badrulkarimadv2016@gmail.com">badrulkarimadv2016@gmail.com</a>) is present on behalf of the Complainant filing vakalatnama and signed the Attendance Sheet.</p> <p>Advocate Vedika Sureka is present on behalf of the Respondent Company in the hearing today through online mode filing hazira.</p> <p>Both the Complainant and Respondent submitted Affidavit and subsequent Rejoinder as per order of the Authority dated 25.03.2025.</p> <p>Perused all the Affidavits submitted by both the parties and heard both the parties in detail.</p> <p>Complainant stated that they preferred a Writ Petition before the High Court at Calcutta being W.P.A. no. 3598 of 2023 inter alia seeking a direction upon the Authority to immediately handover the flat by fulfilling following requirements:-</p> <ol style="list-style-type: none"><li>1) Handing over a draft copy of final deed of conveyance prepared in terms of the Agreement for Sale.</li><li>2) Settle all interest / compensation payable and receivable in terms of the said Agreement for Sale.</li></ol> <p>The Hon'ble Court disposed of the matter with the liberty to the petitioner to move before the Appropriate Forum and accordingly the Complainant prayed before the Authority for relief of the above noted requirements.</p> <p>After going through all the Affidavits submitted by both the parties and oral submission at the time of hearing the Authority is of opinion that the Respondent Company miserably failed to execute the Deed of Conveyance in the line with the provision of Agreement for Sale as defined in the West Bengal Real Estate (Regulation and Development) Rules, 2021 though 90% payment of the total consideration amount has been paid by the Complainant and the Respondent agreed with to received the same.</p>	

The Authority is hereby pleased to give the following directions:-

- a) The Respondent shall complete the execution of the Deed of Conveyance in line with the provisions of Agreement for Sale as defined in the West Bengal Real Estate (Regulation and Development) Rules, 2021 within 60 days from the date of receipt of this order.
- b) Both the Complainant and the Respondent will take initiative for finalization and execution of the Deed of Conveyance.
- c) Complainant is directed to make necessary payment as per Agreement for Sale, if not already paid, before execution of the Deed of Conveyance.
- d) The matter of delay interest / compensation payable / receivable by the Respondent / Complainant will be settled after execution of Deed of Conveyance.

Fix **04.11.2025** for further hearing and order.

  
(BHOLANATH DAS)  
Member

West Bengal Real Estate Regulatory Authority

  
(TAPAS MUKHOPADHYAY)  
Member

West Bengal Real Estate Regulatory Authority