

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

Complaint No. WBRERA/COM001199

Akhilesh Prasad..... Complainant.

Vs.

M/S. K. M Construction (Santanu Chatterjee). Respondent.

Sl. Number and date of order	Order and signature of Authority	Note of action taken on order
02 19.05.2025	Complainant, Akhilesh Prasad appeared physically at the time of hearing by filing hazira which should be kept on record. Respondent, M/s. K. M. Construction (Santanu Chatterjee) is represented by the Learned Advocate, Tanmay Mondal and Joy Kumar Halder. They have filed hazira and vakalatnama which should be kept on record. Complainant has submitted Notarized Affidavit dated 26/03/2025 as per the last Order No. 1 dated 19.03.2025 which has been received by this Office on 02/04/2025. Let the said Notarized Affidavit of the Complainants be taken on record. The Respondent could not comply with the last Order No. 1 dated 19.3.2025 and he asked for time to file Affidavit in Opposition as his client was out of station and the Affidavit of the Complainant was delivered to him later so he could not file the same in time. The Complainant stated that the Sale Deed was registered on 4th January, 2022 where it was stated that after 90 days the possession of the flat will be delivered but the same was not done in time so he sought for compensation. The complainant stated that there is no Completion Certificate. The project is not registered under WBHIRA or WBRERA. The Learned Advocate of the Respondent stated that some of the cheques given by the Complainant were bounced so the Respondent has not received the full amount. After hearing both parties, the Authority is pleased to give the following directions:- a) The Respondent is hereby directed to show cause as to why penalty under Section 63 of the West Bengal Real Estate (Regulation and Development) Act, 2016 should be imposed upon him for violating the	

- Order No. 1 passed on 19.03.2025 by this Authority; and
- b) The Respondent is further directed to show cause as to why the project is not registered under either WBHIRA or WBRERA as stated by the respondent ;and
 - c) The Respondent is directed to file Affidavit in Opposition in response to the Affidavit filed by the Complainant as per the Order No. 1 dated 19.03.2025 within **1 (one) week** from date after responding to the showcause mentioned in point (a) ; and
 - d) The Complainant is directed to file Rejoinder including the details of the payments made by himP, if any, within **1 (One) week** after receipt of the same to the Authority and to the Respondent both in hard copy and soft copy.
 - e) The Complainant's name in the Cause Title be changed as Akhilesh Prasad instead of Jai Kishan Prasad.

Fix **4 (four) weeks** for further hearing and order.



(JAYANTA KR. BASU)
Chairperson
West Bengal Real Estate Regulatory Authority