

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

Complaint No. WBRERA/COM 001320

Pinaki Das Complainant

Vs

Charles Commercial Pvt. Ltd Respondent

Sl. Number and date of order	Order and signature of the Authority	Note of action taken on order
01 18.08.2025	Complainant is present in today's hearing through online mode. Respondent is absent in the hearing, despite due service of the hearing notice through email. Heard the Complainant in detail. As per the Complainant he along with his wife Sangeeta Das booked a flat in "Tanzanite Tower-2" of the Respondent Company on 02.12.2019 entering into an Agreement for Sale on 20.03.2020. The Stipulated date of handover the flat was 31.12.2023. The project was registered under WBHRA and the Developer got an extension for a period of nine months i.e. up to 30.09.2024. But the Developer through email on 14.12.2024 informed that they were unable to handover the flat within stipulated time and requested the Complainants to amicably agree for the cancellation of the booked unit. After several reminders they executed a registered cancellation Agreement for Sale on 31.01.2025. The Complainant paid a total amount of Rs. 14,01,222/- out of which the Respondent refunded Rs 8,96,585/- for fore closer of Bank Loan but they are reluctant to pay Rs. 3,17,910/- including Bank interest till today. The Complainants prayed for refund of balance investment amount along with interest as per provision of Real Estate (Regulation and Development) Act, 2016 and the amount of stamped duty paid by them. 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 Smt. Sangeeta Das wife of Pinaki Das be recorded as Joint Complainant in this Complaint petition. B. The Complainants are 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 **2 (two)** weeks from the date of receipt of this order of the Authority by email.

- C. 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 send the Affidavit (in original) to the Authority serving a copy of the same to the Complainant, both in hard and soft copies, within **2 (two)** weeks 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

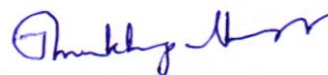
West Bengal Real Estate Regulatory Authority



(BHOLANATH DAS)

Member

West Bengal Real Estate Regulatory Authority



(TAPAS MUKHOPADHYAY)

Member

West Bengal Real Estate Regulatory Authority