

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

Complaint No. COM000041 (erstwhile WBHIRA)

Abhishek Grover..... Complainant

Vs

Soumita Construction Private Limited..... Respondent

Sl. Number and date of order	Order and signature of Authority	Note of action taken on order
09(Execution) 25.04.2024	<p>Advocate Vinit Sharma is present in the physical hearing on behalf of the Complainant filing vakalatnama and signed the Attendance Sheet.</p> <p>The Respondent is absent in the physical hearing today despite due service of hearing notice to the Respondent through speed post and also through email.</p> <p>Let the track record of due service of hearing notice to the Respondent be kept on record.</p> <p>The Advocate of the Respondent Masooma Khan has sent an email to the Authority on 24.04.2024 at 3:42 p.m., stating that she will not be able to attend the physical hearing today as she is attending another execution matter in other court and requested this Authority to give another date so that she can appear in the hearing of this matter on the next date.</p> <p>Let the said email communication of the Advocate of the Respondent be taken on record.</p> <p>Heard the Complainant in detail.</p> <p>This Authority took serious exception to the fact that the Advocate of the Respondent Company may remain otherwise busy in any other court but in the last order of this Authority dated 14.03.2024, personal appearance of the Directors of the Respondent Company that is Mr. Amitabh Roy and Arnab Dey was directed but none of them appeared today before the Authority and they have completely ignored the order of this Authority.</p> <p>The Authority is of the considered view that, the Directors of the Respondent Company are neglecting / ignoring the order(s) of this Authority and neglecting to comply the direction of this Authority.</p> <p>As per section 35 of the Real Estate (Regulation &amp; Development) Act, 2016, this Authority can summon and enforce the attendance of persons at the time of hearing and examine them on oath and issue commissions for examination of witnesses or documents. This Authority is of the considered view that in exercise of the power conferred under section 35 read with</p>	

section 40 of the Real Estate (Regulation and Development) Act, 2016, the attendance of the Directors of the Respondent Company are required to be enforced by giving necessary direction to the Police Authority, for proper and effective execution of this matter.

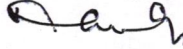
Hence, it is hereby

ORDERED,

- a) That the Bidhannagar Police Commissioner of the Bidhannagar Police Commissionerate shall take all necessary steps to enforce the attendance of the Directors of the Respondent Company namely **Mr. Amitabh Roy** and **Mr. Arnab Dey** on the next date of physical hearing before this Authority on 11.06.2024. He is directed to take all necessary action to produce the Directors before this Authority and ensure their Attendance as per the provisions of Section 35 (2) read with section 40 of the Real Estate (Regulation & Development) Act, 2016; and
- b) The Secretary, WBRERA is hereby directed to send this order to the Bidhannagar Police Commissioner immediately by speed post and also electronic communications and request him to comply this order of this Authority and enforce the attendance of the Directors of the **Soumita Construction Private Limited** before the Authority at the time of hearing on **11.06.2024**.

**On the next date, hearing shall be held physically in the office of WBRERA Authority.**

Fix **11.06.2024** 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