

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

Complaint No. WBRERA/COM(PHYSICAL)000071

Sumanta Roy..... Complainant

Vs

Masood Mallick..... Respondent

Sl. Number and date of order	Order and signature of the Authority	Note of action taken on order
02 20.06.2024	<p>Complainant (Mob. No. 9830053573 &amp; email Id: myfriendsumanta@gmail.com) is present in the physical hearing and signed the Attendance Sheet.</p> <p>Advocate Smt. Bijaya Halder (Mob. No. 6290056878 &amp; email Id: bijayahalder2018@gmail.com) is present in the physical hearing on behalf of the Respondent filing vakalatnama and signed the Attendance Sheet.</p> <p>The Complainant submitted a notarized affidavit dated 20.03.2024, containing his full submission, as per last order of the Authority dated 22.03.2024, which has been received by this Authority on 01.04.2024.</p> <p>Let the said Affidavit of the Complainant be taken on record.</p> <p>The Respondent did not submit any Written Response on Notarized Affidavit till date as per the last order of the Authority dated 22.03.2024.</p> <p>Heard both the parties in detail.</p> <p>Complainant stated that they have sent the Affidavit to the Respondent as per the last order of the Authority.</p> <p>The Advocate of the Respondent stated that she has not received the Affidavit of the Complainant and prayed for some more time to submit the Written Response on affidavit.</p> <p>The Complainant prayed for necessary order for immediate possession of the flat booked by the Complainant and also prayed for completion of the remaining works of the flat on urgent basis.</p> <p>After hearing both the parties and taking into consideration the documents placed on record, the Authority is hereby pleased to give the following directions:-</p> <p>a) Complainant shall send immediately a copy of his Affidavit to the email id of the Advocate of the Respondent, as stated above, and he shall also send a hard copy of his Affidavit to the other address of the</p>	

Respondent at Uttarpara within **3 days** from the date of receipt of this order of the Authority through email; and

- b) The Respondent shall submit the Written Response on Notarized Affidavit to the Complaint Petition and Affidavit of the Complainant annexing therewith notary /self attested supporting documents, and send the Affidavit (in original) to the Authority, serving a copy of the same to the Complainant, within **15 (fifteen) days** from the date of receipt of this order by email; and
- c) The Respondent is hereby given the last chance to submit the Written Response, failing which, no more chance or time shall be given to the Respondent to submit the Written Response on the ground of speedy disposal of justice by the Authority as per section 29(4) of the RERA Act; and
- d) The Complainant shall submit an affidavit containing the details of the service of his Affidavit, which he has served to the Respondent, by speed post and also by email, annexing therewith track records / receipts of the said services; and
- e) If the Respondent remain absent even on the next date of hearing, the Authority shall have no other option but to proceed with ex-parte hearing and disposal of this matter on the ground of speed disposal of justice.

Fix **30.07.2024** for further hearing and order.

  
(BHOLANATH DAS)

Member

West Bengal Real Estate Regulatory Authority

  
(TAPAS MUKHOPADHYAY)

Member

West Bengal Real Estate Regulatory Authority