

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

Complaint No.WBRERA/COM000241

Animesh Das..... Complainant

Vs

Siddhivinayak Realcon LLP..... Respondent

Sl. Number and date of order	Order and signature of Authority	Note of action taken on order
02 15.02.2024	<p>Complainant is absent in the physical hearing despite due service of hearing notice through speed post and also by email.</p> <p>Let the track record of the due service of hearing notice to the Complainant be kept on record.</p> <p>Shri Sanjay Kumar Beriwal and Smt. Susmita Karmakar, being Authorized Representatives of the Respondent are present in the physical hearing on behalf of the Respondent filing hazira and authorization through email.</p> <p>Complainant submitted an email communication on 13.02.2024 to the Authority stating that he has an exam scheduled on the date of hearing and for which he is unable to make a physical appearance at the office of the Authority.</p> <p>Let the said email communication of the Complainant dated 13.02.2024 be taken on record.</p> <p>Considered the prayer of the Complainant and rejected on the ground that a hearing cannot be rescheduled or adjourned by such an last minute communication because the Authority is under the obligation to dispose of the matters as expeditiously as possible as per section 29(4) of the Real Estate (Regulation and Development) Act, 2016. Also the Complainant did not submit any copy of admit card or any other documents in support of his prayer. Therefore, the prayer of the Complainant cannot be accepted.</p> <p>It was categorically stated in the last order of the Authority that, if the Complainant remains absent on the next date of hearing, then the Authority shall have no other option but to dismiss the Complaint Petition on the ground of</p>	

absence and non-prosecution by the Complainant on consecutive dates of hearing.

Hence, the matter is hereby dismissed on the ground of absence of the Complainant in two consecutive dates of hearing on 29.11.2023 and 15.02.2024.

Let the copy of this order be served to both the parties through speed post and also by email immediately.

Sd/-

(SANDIPAN MUKHERJEE)
Chairperson
West Bengal Real Estate Regulatory Authority

Sd/-

(BHOLANATH DAS)
Member
West Bengal Real Estate Regulatory Authority

Sd/-

(TAPAS MUKHOPADHYAY)
Member
West Bengal Real Estate Regulatory Authority

Certified to be true copy

Sube

15.02.2024

Special Law Officer
West Bengal Real Estate Regulatory Authority