

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

Complaint No.COM-000548 (erstwhile WBHIRA)

Amalesh Kumar .....Complainant

Vs.

MKHS Housing LLP & Hemont Kumar Sikaria &  
Anurag Gupta & Astha Ketan & Kamal Chopra..... Respondents

Sl. Number and date of order	Order and signature of Officer	Note of action taken on order
7 ----- 22.08.2023	<p>Complainant is present in the online hearing filing hazira through email.</p> <p>Advocate Falguni Jana is present in the online hearing on behalf of the Respondent filing hazira and Vakalatnama through email.</p> <p>Heard both the parties in detail.</p> <p>Advocate Sahana Pal on behalf of the Respondent has sent an email communication to the Authority on 22.08.2023 at 2:50 p.m. praying for a copy of the execution application filed by the Complainant and also prayed for a short time to file their Written Response.</p> <p>Let the said email communication of the Respondent be taken on record.</p> <p>Considered and granted the prayer of the Respondent and <b>10 (ten) days</b> time is hereby given to the Respondent to file the Written Response on notarized affidavit.</p> <p>After hearing both the parties, the Authority is pleased to give the following directions:-</p> <p>a) As per the request of the Respondent, let a copy of the execution application of the Complainant dated 03.07.2023 be sent to the Respondent immediately by email to the</p>	

	<p>Respondent and his Advocate to the email Id, - <i>sahanapaladv@gmail.com</i>, from the office of this Authority; and</p> <p>b) Respondent is hereby directed to submit Written Response on notarized affidavit against the Execution Application of the Complainant dated 03.07.2023 and send the original affidavit to the Authority serving a copy of the same to the Complainant, within 10 (ten) days from today; and</p> <p>c) Respondent is hereby further directed to submit a Refund Schedule in his notarized affidavit, as mentioned above, specifying the number of installments, date and amount of installments for refund of the total amount of Rs.50,93,956/- (Rupees fifty lakhs ninety three thousand nine hundred fifty six only) alongwith interest at the rate of SBI PLR +2% per annum for the period starting from the date of respective payments made by the Complainant till the date of realisation and every installment should be of considerable amount and number of installments should not exceed (03) three; and</p> <p>d) Respondent shall start payment of the installments immediately as per the Refund Schedule to be submitted by him and shall continue to make payments accordingly till the next date of hearing; and</p> <p>e) Complainant is at liberty to submit a Reply/Rejoinder on notarized affidavit to the Refund Schedule of the Respondent and send the affidavit to the Authority serving a copy of the same to the Respondent, within <b>7 (seven) days</b> from the date of receipt of the affidavit of the Respondent by mail or by speed post whichever is earlier; and</p> <p>f) Respondent is also categorically directed that no more time or chance shall be given to the Respondent to file the Written Response even if a new Advocate appears on the next date and pray for time on the ground of appointment just before the date of hearing. The Respondent should not repeat these type of practices; and</p> <p>g) Respondent is also directed to remain present on the next</p>	
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date of hearing, failing which, this Execution matter shall be heard ex-parte on the next date of hearing.

Fix 15.09.2023 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