

OpenVoiceNews India

Transparent. Unbiased. Yours.

Developer Ordered to Repurchase Flat After 20 Years Due to Missing Completion Certificate

August 11, 2025

– Categories: Real Estate



DOWNLOAD IPFS

West Bengal Real Estate Appellate Tribunal (WBREAT) has directed a developer to repurchase a flat sold nearly two decades ago after it was found that the property lacked a mandatory completion certificate.

The flat, located in the Nagerbazar area near Kolkata, was purchased by Sibsankar Koley from developer Satchidananda Mitra of Sona Enterprise in 2006. Although Koley has been residing in the flat for 19 years, he was unable to complete the mutation process due to the absence of the completion certificate, a crucial legal requirement for establishing ownership.

The situation became more complicated when a legal dispute emerged between the developer and landowner Renu Bala Paul. Despite this, Koley had earlier approached the West Bengal Real Estate Regulatory Authority (WBREERA) seeking relief. However, the authority dismissed his petition, denying his request for a direction to execute the conveyance deed.

Challenging the WBREERA order, Koley moved the WBREAT, which ruled in his favor. The tribunal ordered the developer to refund the amount paid for the flat along with the stamp duty and registration charges. Interest was not awarded, considering that Koley had occupied the flat for nearly two decades.

Koley has been directed to vacate the premises and return possession of the property to the developer within 45 days. The case highlights the importance of obtaining proper legal clearances such as completion certificates, without which property rights may remain uncertain even years after purchase.