

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

Complaint No. WBRERA/COM 000026

Prasenjit Dutta Complainant

Vs

Ideal Real Estates Pvt. Ltd Respondent

Sl. Number and date of order	Order and signature of the Authority	Note of action taken on order
Execution 05 <hr/> 22.07.2025	<p>Today this matter is taken up for 5th day of Execution Hearing. The final order was passed by this Authority on 15.06.2023.</p> <p>Complainant along with his Advocate Mr. Bikramjit Mandal is present in today's hearing physically and through online mode respectively, signing the Attendance sheet.</p> <p>Advocate Dripto Majumdar and Sayantani Banerjee are present on behalf of the Respondent through online mode.</p> <p>The Complainant submitted an Affidavit in reply. In which he stated that while the Respondent was taking the shield of rigors of the Corporate Insolvency Resolution Process(CIRP) and pendency of the insolvency proceeding, the Respondent in partnership one Arika Constructions LLP, through a joint Development Agreement dated 12.04.2023 has registered new project "Crown" with this Authority which implies that the management of the Respondent has resumed to be vested with the Board of Directors of the Respondent, but still the Respondent deliberately violated the orders of the Ld. Authority.</p> <p>The Complainant further stated that he has filed a Civil Revisional application, being C.O. No. 1823 of 2025 before the Hon'ble High Court at Calcutta for expeditious disposal of the instant case with the prayers for execution of the order dated 15.06.2023 against complaint no. <u>WBRERA/COM 000026</u> and an order of stay of the registration of new project of the Respondent namely "Crown" being registration no. WBRERA/P/NOR/002592. After hearing of the said application, the Hon'ble High Court has been pleased to pass directions to the Authority to take up the hearing of the Application filed by the petitioner on today as fixed and to dispose the same as expeditiously as possible but preferably by the end of the month of August 2025, without granting any unnecessary adjournments to either of the parties. In support of his submission, the</p>	

Complainant submitted copy of Revisional Application and the order of the Hon'ble High Court in this matter.

Heard both the parties in details.

The Respondent stated that they offered the Complainant to refund the total amount in installments paying RS. 2,00,000/- every month but could not start the payment as they did not get any confirmation from the Complainant.

The Complainant stated that he does not agree with the proposal of the Respondent. However, the Complainant submitted that he has no objection if the Respondent refunds the balance principal amount along with interest as per the order of the Authority within 3 months including payment of one-third amount in a very short interval preferably within seven to ten days.

Advocate of the Respondent could not confirm the Respondent's view in this regard as he could not make contact with his client.

After hearing both the parties, the Authority is hereby pleased to give the following directions:-

- A. The Respondent shall refund the Complainant the balance principal amount of Rs. 19,76,852/- along with interest at the rate SBI PLR +2 % for the period starting from the respective dates of payment made by the Complainant, till the date of realization within **3 months** from the date of receiving this order through email, out of which, the Respondent shall pay at least one-third of the total amount within **15 days** from the date of receiving this order through email.
- B. If the Respondent fails to comply this order a penalty of Rs. 15,00,000/- shall be imposed upon the Respondent for non-compliance of this order as per provision of section 61 of Real Estate (Regulation and Development) Act, 2016.
- C. The Respondent is also directed to submit notarized Affidavit stating their response regarding the response to the Affidavit of the Complainant and petition before the Hon'ble High Court including subsequent order by the Hon'ble High Court dated 22.05.2025 on C.O. 1823 of 2025 of regarding prayer of the petition for order of stay including revocation of the registration of the project namely "Crown" being registration No. WBRERA/P/NOR/002592 within **15 days** from the date of receiving this order of the Authority through email.

Fix.. **02.09.2025** for further hearing and order.



(TAPAS MUKHOPADHYAY)

Member

West Bengal Real Estate Regulatory Authority