

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

Complaint No. WBRERA/COM000010

Anil Agarwal.....Complainant

Vs

Ideal Real Estates Pvt. Ltd..... Respondent

Sl. Number and date of order	Order and signature of Authority	Note of action taken on order
(02) Execution ----- 23.04.2025	Today this matter is taken up for 2nd day of Execution Hearing. The matter was disposed of on 30.12.2023 by passing the final order by this Authority. Dewesh Agarwal, Authorized Representative and son of the Complainant is present in the hearing through online mode filing hazira through email. Advocate Dripto Majumdar is present on behalf of Nakul Himatsinka, one of the Director of Ideal Real Estate Private Limited filing vakalatnama and hazira through email. An Affidavit has been submitted by Nakul Himatsinka, one of the Director through email on 07.10.2024 stating that the Ld. NCLAT has stayed the order of CIRP but not quashed the order of CIRP or set-aside the same. So as per their submission the order of moratorium / CIRP was very much in operation and no proceedings or orders could be continued against the Respondent Company. However the Advocate present on the said director submitted that there has been a settlement between the Respondent Company and their financial creditor and the matter has been out from the order of the moratorium at present. He further added that they are paying monthly instalments to the bank on behalf of the Complainant. The Complainant pointed out that the Respondent was directed vide the final order of the Authority to refund the entire amount alongwith interest within 45 days from the date of receipt of that final order	

which they did not comply for which this execution proceeding is going on. Instead of paying the full amount as per final order, mere paying some instalments to bank account does not qualifying for compliance of the order of the Authority. He again prayed for immediate execution of the final order of the Authority so that he can get the full refund as per his entitlement.

The Advocate of Nakul Himatsinka prayed for submission of an Affidavit for furnishing status of removal of moratorium order and revival of operative power by the Promoter Company including submission of payment made by them to the bank on behalf of the Complainant showing bank statement etc.

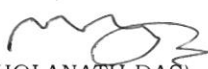
After hearing both the parties, the Authority is hereby pleased to give the following directions:-

Shri Nakul himatsinka, one of the Respondent Company is directed to submit Affidavit as prayed by him in original to the Authority with copy to the Complainant, both in hard and soft version, within 15 days from the date of receipt of this order of the Authority through email.

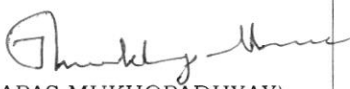
The Complainant is directed to submit Notarized Affidavit in reply to that of Nakul Himatsinka one of the Directors of the Respondent Company in original to the Authority with copy to all the Respondents, both in hard and soft version, within 15 days from the date of receipt of the Affidavit of the Respondent.

The Respondent Company is directed to appear positively on the next date of hearing as it is implied from the submission of the Advocate of the one of Directors of the Promoter Company that there is no moratorium order existing at present.

Fix **22.07.2025** for further hearing and order.


(BHOLANATH DAS)
Member

West Bengal Real Estate Regulatory Authority


(TAPAS MUKHOPADHYAY)
Member

West Bengal Real Estate Regulatory Authority