

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

Complaint No.WBRERA/COM 001036

Chaina Ghosh Complainant

Vs.

Usashi Real Estate Pvt. Ltd. Respondent 1

Uma Khan Respondent 2

Mritunjay Sahoo Respondent 3

Sl. Number and date of order	Order and signature of the Authority	Note of action taken on order
02 11.07.2025	Complainant is present in the physical hearing today and signed the Attendance Sheet. Advocate Gourav Banerjee (email:- gb_bdn@yahoo.in) is present in the hearing today on behalf of the Respondent through online mode filing hazira through email. The Complainant submitted Affidavit as per the order of the Authority. Heard both the parties in detail. The Advocate of the Respondent stated that Respondent No.1 was declared insolvent by a solemn order dated 06.07.2023 in CP(IB) No. 324/KB/2022 by the Ld. National Company Law Tribunal, Kolkata branch (Court II) and interim resolution professional (IRP) was appointed by such order to carry out the functions of the Respondent No.1. The details of IRP is as follows:- Name:- Mr. Arun Kumar Gupta Registration No:- IBBI/IPA-001-1P-P000 Email :- guptaarunkumar2001@yahoo.com The Complainant stated that he did not receive Rs. 50,000/- which was deposited earlier to the Respondent company against the booking of a flat in a project name "Happy Nest". After hearing, the Authority is of opinion that the Complainant is entitle to	

receive back the booking amount paid to the Respondent Company but as the Respondent Company has been declared as insolvent and IPR has been appointed by order of National Company Law Tribunal, the Respondent company is not in a position to refund the amount to the Complainant.

Hence, it is ordered that Complainant may approach before the IPR appointed by National Company Law Tribunal for getting relief in the instant matter till withdrawal of insolvency by the competent Court of Law.

With this direction this complaint petition is hereby disposed of.

Let copy of this order be served to both the parties immediately.



(BHOLANATH DAS)

Member

West Bengal Real Estate Regulatory Authority



(TAPAS MUKHOPADHYAY)

Member

West Bengal Real Estate Regulatory Authority