

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

Complaint No. WBRERA/ COM (Physical)000321

Mr. Pradip Kumar Kandar & Mrs. Bipasha Barman..... Complainant

Vs

Exult Realty Pvt. Ltd. Respondent 1

Ideal Aurum Nirman LLP Respondent 2

Sl. Number and date of order	Order and signature of the Authority	Note of action taken on order
01 25.02.2026	<p>Complainant is physically present in today's hearing. Signed attendance sheet and his Ld. Advocate Md. Abdur Rakib (mobile no:- 9593589087 and email id:- rakibadvocate@gmail.com) is present in the hearing through online mode by filing hazira and vakalatnama.</p> <p>No one has appeared today's hearing on behalf of Respondent no.1 despite due service of hearing notice.</p> <p>Ld.Advocate Ms. Indrani Joaddar is present in the today's hearing on behalf of Respondent no.2 through online mode. She directed to submit her hazira and vakalatnama immediately after today's hearing.</p> <p>Ld. Advocate Sourjya Roy is present today's hearing on behalf of 'Yes Bank' through online mode. He stated that his client is no way involved in the instant complain matter for which he prayed that 'Yes Bank' may be allowed to be exempted from the instant hearing.</p> <p>Heard the complainant in detail.</p> <p>As per the Complainant, he booked a flat being flat no. 13D, Block Celestial with car parking space in the project "Ideal Aurum" of the Respondent and entered into an Agreement for Sale on 17.01.2022. Total consideration amount for the flat is Rs. 61,91,850/- out of which the complainant has paid Rs. 40,38,195/-. As per Agreement for Sale possession of the flat had to be given to the complainant by September, 2022. But till date the respondent could not handover the possession of the same to the complainant. Along with covered car parking. In addition to it a lot more works are to be completed by the Developer, for which, the Complainant is highly suffering.</p> <p>The Learned Advocate appearing for the complainants prayed for handing over the possession of the flat along with all the amenities and facilities as per the Agreement for Sale, including compensation due to delay in handing over the possession along with directions upon the respondent to hand over Completion Certificate in respect of the flat as well as for the entire project and to enable the</p>	

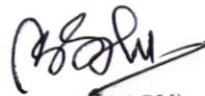
formation of association as per Apartment ownership Act. Along with others reliefs as mentioned in form 'M'.

The complainant also prayed an interim order for direction upon the respondent / developer/ owner not to disturb the possession of the flat of the complainants against any coercive action taken out by the respondent including other Authority, Bank etc.

After hearing the Complainant, the Authority is pleased to admit this matter for further hearing and order as per the provisions contained in Section 31 of the Real Estate (Regulation and Development) Act, 2016 read with Rule 36 of the West Bengal Real Estate (Regulation and Development) Rules, 2021 and give the following directions: -

- A. The Complainant is directed to submit his total submission regarding their Complaint Petition on a Notarized Affidavit annexing therewith notary attested/self-attested supporting documents and a signed copy of the Complaint Petition and send the Affidavit (in original) to the Authority serving a copy of the same to all the three Respondents, both in hard and soft copies, within **3 (three)** weeks from the date of receipt of this order of the Authority by email.
- B. The Respondent No.1 &2 are hereby directed to submit their Written Response on notarized affidavit regarding the Complaint Petition and Affidavit of the Complainant, annexing therewith notary attested/self-attested supporting documents, if any, and send the Affidavit (in original) to the Authority serving a copy of the same to the Complainant, both in hard and soft copies, within **3 (three)** weeks from the date of receipt of the Affidavit of the Complainant either by post or by email whichever is earlier.
- C. All the Respondents are directed not to disturb the possession of the flat of the Complainant, being allottee of the same till disposal of this matter or until further order, whichever is earlier. In no way the rights and interest of the Complainant being the allottee shall be hampered as per provision of Real Estate (Regulation and Development) Act, 2016.

Fix **after 8 (eight) weeks** for further hearing and order.



(JAYANTA KR. BASU)

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