

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

Complaint No. WBRERA/COM001443

Aveek Basu 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
01 15.10.2025	The Complainant, Aveek Basu appeared online at the time of hearing of the instant Application. He is requested to submit hazira physically or online which should be kept in record. The Respondent, Ideal Real Estates Pvt. Ltd., represented by the Learned Advocate, Khushi Khaitan (Phone No. 9474966074 Email ID : khushi@legaloptions.in) who appeared online at the time of hearing of the instant hearing. She is requested to file hazira and vakalatnama physically or online which will be kept in record. The Complainant stated that he booked a Flat at Aqua View in Jan, 2014 and have already paid 90% of the total cost. The Complainant has not yet received possession of the flat despite having paid all the dues on time. The flat he brought was in Block A (Albatross), Flat – 5D. Though the construction of the tower has happened. The finishing of his apartment is still incomplete. When he reached out to the Respondent, they have kept saying the flat will be ready in the next 3-6 months, but the date keeps moving every time and the Complainant did not get possession of the flat yet. The promised original date for possession was 2018, but the Complainant has not received the flat yet. So there has been a delay of more than 7 years. The complainant prayed for immediate possession of the completed Flat, Compensation of financial losses for delay in handing possession for more than 7 years. The Learned Advocate for the Respondent stated that due to financial stringency the flat was not ready but the delivery of the same will be given in a few months. After hearing the both the parties, 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:- The Complainant is directed to submit his total submission regarding the	

Complaint Petition on a Notarized Affidavit annexing therewith notary attested /self-attested supporting documents and a signed copy of the Complaint Petition as in Form 'M' and send the Affidavits (in original) to the Authority serving a copy of the same to the Respondent, both in hard and soft copies, within **3 (three) weeks** from the date of receipt of this order of the Authority by email. As submitted by the complainant that he is staying abroad and requested to the Authority to make his submission through his registered email, the Authority considered his request and allowed him to make his submission enclosing all supporting documents through email to address his complaint of non delivery of the flat by the respondent even after lapse of several years and neither informed the complainant of the status of the project including his flat periodically but also failed to respond to the complainant's regular enquiry about the progress of his flat as submitted by the complainant today during hearing his complaint.

The Respondent is hereby directed to submit his Written Response on notarized affidavit regarding the Complaint Petition and Affidavit of the Complainant, annexing therewith notary attested/self-attested supporting documents annexing therewith notary attested/self-attested supporting documents including the photographs of the instant flat of the complainant enclosing the Registration Certificate issued by the erstwhile WBHIRA/WBRERA, in connection with the instant project and also communications with the complainant informing him of the status of his flat and reasons for delay, 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.

The next date of hearing is **8 (eight)** weeks from date.



(JAYANTA KR. BASU)
Chairperson

West Bengal Real Estate Regulatory Authority



(BHOLANATH DAS)

Member

West Bengal Real Estate Regulatory Authority