

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

Complaint No.WBRERA/COM000756

Dibyendu Ghosh and Priyanka Ghosh (Mondal) Complainant

Vs.

M/s Usashi Real Estates Pvt. Ltd.....Respondent

Sl. Number and date of order	Order and signature of the Authority	Note of action taken on order
01 30.01.2025	Complainant is present in the hearing through online mode filing hazira through email. Advocate Gourav Banerji (gb_bdn@yahoo.in) is present in the hearing through online mode on behalf of the Respondent filing hazira and vakalatnama through email. Heard both the parties in detail. As per the complainant, he alongwith his wife Smt. Priyanka Ghosh (Mondal) booked a 1BHK flat at Usashi Prince Town project of the Respondent through an Agreement for Sale on 6th November, 2017 and paid an amount of Rs.1,64,150/-. The stipulated time of completion of the flat was 10th March, 2021 but the same has not been handed over till to date. The Complainant prays before the Authority for the relief of refund of his invested Principal Amount alongwith interest as per provision of RERA Act. Respondent stated that National Company Law Tribunal vide their order dated 7th July, 2023 as declared the Respondent Company as insolvent and Interim Resolution Professional has taken over the management of the Company so on that ground this Complaint is not maintainable. After hearing 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:- Let Smt. Priyanka Ghosh (Mondal) be included as Joint Complainant in this instant Complaint matter. Both the Complainants are hereby directed to submit their total submission regarding their Complaint Petition on a Notarized Affidavit annexing	

therewith notary attested / self attested copy of supporting documents and a signed copy of the Complaint Petition and send the original Affidavit to the Authority, serving a copy of the same to the Respondent, both in hard and scan copies, within **15 (fifteen)** days from the date of receipt of this order through email.

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 copy of supporting documents, if any, and send the original to the Authority serving a copy of the same to the Complainant, both in hard and soft copies, within **15 (fifteen)** days from the date of receipt of the Affidavit of the Complainant either by post or by email whichever is earlier.

Fix **13.08.2025** for further hearing and order.


(BHOLANATH DAS)
Member

West Bengal Real Estate Regulatory Authority


(TAPAS MUKHOPADHYAY)
Member

West Bengal Real Estate Regulatory Authority