

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

Complaint No.WBRERA/COM (PHYSICAL)000035

Prabir Kumar Raychaudhuri.....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
(1) Execution ----- 12.10.2023	<p>Today this matter is taken up for Execution Hearing. The final order of this matter was passed on 10.05.2023.</p> <p>The Complainant has filed an application for Execution of the said order of the Authority on 27.07.2023. The Execution application has been received by the Authority on 27.07.2023.</p> <p>Let the said Execution application of the Complainant be taken on record.</p> <p>Complainant is present in the online hearing filing hazira through email.</p> <p>Advocate Tirthankar Das is present in the online hearing today on behalf of the Respondent filing hazira and vakalatnama through email.</p> <p>Heard both the parties in detail.</p> <p>Complainant stated at the time of hearing that he has not received any amount from the Respondent till date and therefore the Respondent has not complied the final order of this Authority in this matter dated 10.05.2023 and he prayed for immediate complete execution of this order today before the Authority.</p> <p>Respondent stated that he require some more time to make the refund and prayed for necessary permission for payment of the amount as per the order dated 10.05.2023 in 10 (ten) instalments.</p> <p>Complainant at the time of hearing stated that he wants to receive the</p>	

payment from the Respondent in 2-3 instalments within a period of 2 months.

However, Complainant also stated that he will accept the payment as per the direction of this Authority and he requested that the payment by the Respondent is to be made under the supervision / review of this Authority.

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

- a) Respondent is directed to submit a Payment Schedule on Notarized Affidavit, specifying the date and amount of each of the **5 (five) instalments**, by which they will make the payments as per the order of this Authority dated 10.05.2023 and send the Affidavit (in original) to the Authority serving a copy of the same to the Complainant within 15 days from the date of receipt of this order through email; and
- b) Respondent is further directed to complete the payment of the instalments in 5 (five) consecutive months starting from **December, 2023 ending with April, 2024**; and
- c) Respondent is also directed to start payment as per the above directions given at (a) and (b) above; and
- d) If the Respondent fails / neglects to comply the above order of the Authority, penalty may be imposed upon the Respondent as per the section 38 read with section 61 of the Real Estate (Regulation and Development) Act, 2016, if the Authority thinks fit to do so on the next date of hearing.

The Authority shall review the matter on the next date of hearing.

Fix **06.02.2024** for further hearing and order.



(SANDIPAN MUKHERJEE)

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