

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

Complaint No. WBRERA/COM000607

Asis Kumar Khan & Manasi Khan..... Complainants

Vs

Ideal Real Estates Pvt. Ltd... Respondent No.1  
Anuj Tulsyan.....Respondent No.2

Sl. Number and date of order	Order and signature of the Authority	Note of action taken on order
01 05.07.2024	<p>Complainants are present in the online hearing filing hazira through email.</p> <p>Respondent is absent in the online hearing despite due service of hearing notice to the Respondent through speed post and also by email.</p> <p>Let the track record of the due service of hearing notice to the Respondent be kept on record.</p> <p>Heard the Complainant in detail.</p> <p>As per the Complainants, they had booked a flat at <b>'Ideal Aquaview'</b> project of the Respondent no.1 and Respondent no.2 is one of the Director of the Respondent no.1. The Agreement for Sale was registered on December, 2021. All payments have been made by the Complainants including Advance Maintenance Charge but till date the Respondents have not given possession to the Complainants of the flat bearing no. Albatross 15B. They promised to deliver it by March 2022 but till date they have not given the possession.</p> <p>The Complainant prays before the Authority for the relief of immediate possession will all promises.</p> <p>After hearing the Complainants, 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:-</p> <p>Let <b>Smt. Manasi Khan</b> be included as Joint Complainant in the present Complaint matter because she is the Joint Allottee alongwith the Complainant Mr. Asis Kumar Khan and henceforth in all the records of this matter her name shall be included as a Joint Complainant.</p> <p>Let <b>Ideal Real Estates Pvt. Ltd</b> be included as <b>Respondent no.1</b> in the</p>	

present Complaint matter as because the Agreement for Sale was executed between Ideal Real Estates Pvt. Ltd and the Complainants and it is a necessary party for adjudication of this matter and **Mr. Anuj Tulsyan**, being one of the director of Respondent no.1, be hereinafter referred to as **Respondent no.2** and henceforth in all the records of this matter this inclusions/corrections shall be reflected.

The **Complainants** are 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 jointly signed copy of the Complaint Petition and send the Affidavit (in original) 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 of the Authority by email.

The **Respondents** 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 copy of 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 scan 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.

In spite of the above directions, both the parties are directed to try for an amicable settlement of the issues between them by mutual discussions and if they arrive at a mutual settlement, they shall submit a **Joint Affidavit**, signed by both, containing the terms and conditions of the mutual settlement, and send the Affidavit (in original) to the Authority before the next date of hearing and in that case there is no need of submitting separate affidavit(s) by Complainant and Respondent, as per the directions given above.

Fix **24.09.2024** for further hearing and order.

  
(BHOLANATH DAS)

Member

West Bengal Real Estate Regulatory Authority

  
(TAPAS MUKHOPADHYAY)

Member

West Bengal Real Estate Regulatory Authority