

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

Complaint No.WBRERA/COM000126

Surmit De.....Complainant

Vs.

Ideal Real Estates Private Limited..... Respondent

Sl. Number and date of order	Order and signature of Officer	Note of action taken on order
02 ----- 08.08.2023	<p>Advocate Proteek Debnath is present on behalf of the Complainant filing hazira and Vakalatnama through email.</p> <p>Advocate Sounak Mukhopadhyay and Advocate Tirthankar Das are present on behalf of the Respondent no. 1 to 4, filing hazira and vakalatnama through email.</p> <p>Respondent submitted Written Response on Notarized Affidavit dated 08.08.2023, as per the last order of the Authority dated 13.06.2023, which has been received by this Authority today by email.</p> <p>Let the said Written Response of the Respondent sent by email, be taken on record.</p> <p>Heard both the parties in detail.</p> <p>The Respondent stated at the time of hearing that the agreement executed between the Complainant and the Respondent on 2nd April 2015 is not enforceable in law as it is not registered and stamp duty not paid. Therefore, as per the Respondent, the said agreement is not enforceable as per the Judgement dated 25th April 2023 of the Hon'ble Supreme Court in Civil Appeal NO(S). 3802-3803 of 2020 in the matter of M/S. N.N. Global Mercantile Private Limited ... APPELLANT(S) Versus M/S. Indo Unique Flame Ltd. & Ors. ... Respondent(S).</p>	

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

- a) Respondent is hereby directed to submit the hard copy of his Written Response dated 08.08.2023 to the Authority and also to the Complainant within 3 days from the date of receipt of this order through email; and
- b) Complainant is directed to submit a Rejoinder/Reply on Notarized Affidavit to the Written Response of the Respondent annexing therewith authenticated copy of supporting documents, if any, and send the original Affidavit to the Authority, serving a copy of the same to the Respondent, both in hard and soft copies, within 15 (fifteen) days from the date of receipt of this order through email.

Fix **05.10.2023** 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