

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/COM 000756

Dibyendu Ghosh and Priyanka Ghosh (Mondal) ..... Complainant

Vs.

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

| Sl. Number<br>and date of<br>order | Order and signature of the Officer                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Note of<br>action<br>taken on<br>order |
|------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------|
| 02<br>13.08.2025                   | <p>Complainant is present in the hearing through online mode.</p> <p>Advocate Gourav Banerjee (email:- <a href="mailto:gb_bdn@yahoo.in">gb_bdn@yahoo.in</a> ) is present in today's hearing through online mode without filing vakalatnama.</p> <p>Heard both the parties in detail.</p> <p>The Respondent through an email submitted that the Respondent was declared insolvent by a solemn order dated 06.07.2023 in CP(IB) No. 324/KB/2022 by the Ld. National Company Law Tribunal, Kolkata branch (Court II) and interim resolution professional (IRP) was appointed by such order to carry out the functions of the Respondent.</p> <p>The details of IRP is as follows:-</p> <p>Name:- Mr. Arun Kumar Gupta<br/>Registration No:- IBBI/IPA-001-1P-P00013/206/2016- 2017- 10037<br/>Email :- <a href="mailto:guptaarunkumar2001@yahoo.com">guptaarunkumar2001@yahoo.com</a></p> <p>The Complainant stated that he along with his wife did not receive Rs. <b>1,64,150/-</b> which was deposited earlier to the Respondent company against the booking of a flat in a project name "Usashi Prince Town".</p> <p>After hearing, the Authority is of opinion that as per provision of section 18 of Real Estate (Regulation and Development) Act, 2016, the Complainant is entitled to receive back the booking amount along with interest at the Rate SBI PLR + 2% to be calculated from the date of payment of the principal amount till the date of refund of the same by the Respondent. But the Respondent Company has been declared as insolvent and IPR has been appointed by order of National Company Law Tribunal.</p> <p>Hence, it is ordered that Complainant may approach before the IPR appointed by National Company Law Tribunal for getting relief of refund of amount of Rs. <b>1,64,150/-</b> along with interest at the Rate SBI PLR + 2% to be calculated from the date of payment of the principal amount paid by the Complainant till the</p> |                                        |

date of realization of the same.

With this direction this complaint petition is hereby disposed of.

Let copy of this order be served to both the parties immediately.

  
(BHOLANATH DAS)  
Member

West Bengal Real Estate Regulatory Authority

  
(TAPAS MUKHOPADHYAY)  
Member

West Bengal Real Estate Regulatory Authority