

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

Complaint No. WBRERA/COM001417

Probal Sircar 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
02 09.10.2025	The Complainant, Probal Sircar along with his wife, Subrota Sircar are present physically at the time of hearing of the instant Complaint by filing hazira which should be kept in record. The Respondent, Ideal Real Estates Pvt. Ltd is represented by the Learned Advocate, Srijita Gupta, who appeared online. She is requested to file hazira which shall be kept in record. The Complainant has filed Affidavit on 08/9/2025 as per Order dated 27.8.2025 which has been received by the Authority on 08/09/2025 . The complainants submitted that they have also served their Affidavit as directed to the respondent both hard copy and soft copy and is confirmed received by the respondent. Let the Affidavit be kept in record. The Learned Advocate for the Respondent asked for time to file Affidavit in Response. She could not justify many cogent and valid reasons for non compliance of the Authority's earlier order of submitting his affidavit in response to the instant Complaint upon receipt of the affidavit from the complainant. The Complainant stated that the Flat was booked jointly with his wife so his wife be added as Complainant No. 2. The Complainant stated that they have made full payment of the flat but the Respondent has not completed the Flat of the Complainant whereas the other flats in the same building have been completed and the possession has already been given. But the flat of the Complainant is still lying incomplete and there is no sign to complete the same and to deliver the possession as per the agreement of sale executed between the complainants and the respondent although more or less eight years have already been elapsed. The Complainant prayed for interim relief for immediate possession of the flat along with garage for car parking. The Learned Advocate for the Respondent stated that the flat will be ready and delivery of possession will be given within six months by making registration of Conveyance Deed.	

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

- a) The Respondent is hereby directed to ready the Flat and hand over the possession of the flat along with garage as per the Agreement for Sale within **3 (three) months** from date of receipt of the order through email and execute the deed of Conveyance and provide the complainant with all necessary documents to ensure transfer of the legal rights of the instant flat as the complete payment has been received by the respondent and there is no default on the part of the complainants as per the terms of the agreement for sale been executed between the parties ; and
- b) The Respondent is also hereby directed to send fortnightly progress report through notarized Affidavit of the status of the progress of the flat to the Authority as also to the Complainant.
- c) The respondent is hereby show cause to submit why **Section 63** of the **RE(R&D) Act 2016** shall not be invoked against him for willful non compliance of the Authority's earlier order and further given an opportunity as prayed by the respondent's representative appearing in today's hearing for the time **of two weeks** to submit his affidavit in opposition into the instant complaint having received the affidavit from the complainant. He is further directed to enclose the registration/ extension certificate issued by the erstwhile WBHIRA/WBRERA for the construction and development of the instant project.

Fix after **6 (six) weeks** for further hearing and order.


(JAYANTA KR. BASU)

Chairperson

West Bengal Real Estate Regulatory Authority


(BHOLANATH DAS)

Member

West Bengal Real Estate Regulatory Authority