

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 000825

Atanu Sarkar & Nabamita Deb ..... Complainant

Vs.

Ideal Aurum Nirman LLP ..... Respondent 1

Exult Realty Private Limited ..... Respondent 2

Yes Bank Limited ..... Respondent 3

Sl. Number and date of order	Order and signature of the Authority	Note of action taken on order
03 15.12.2025	<p>Advocate Jiya Bose (Mobile No:- 8777020614 and Email Id:- <a href="mailto:skakrania.co@gmail.com">skakrania.co@gmail.com</a> ) is present in today's hearing on behalf of the Complainant physically by signing the attendance sheet.</p> <p>Advocate Aruin Chakraborty along with Advocate Srijeeta Gupta (Mobile No:- 8240159491 and Email Id: <a href="mailto:srijeeta@legaloptions.in">srijeeta@legaloptions.in</a> ) is present in today's hearing on behalf of Respondent No.1&amp;2 physically by filing vakalatnama and signing the attendance sheet.</p> <p>Advocate Sourjya Roy (Mobile No:- 9836486947 and Email Id:- <a href="mailto:srjroy8@gmail.com">srjroy8@gmail.com</a>) and Advocate Simran Chandra are present in today's hearing on behalf of the Respondent No.3 by filling hazira and vakalatnama through email.</p> <p>Complainant submitted Affidavit today at the time of hearing. She stated that she has already sent copy of the same to the Respondent No.1 and 2 and also to the Respondent No.3.</p> <p>Respondent No.3 stated that they have not received the copy of Affidavit from the Complainant.</p> <p>The Complainant stated that they have served the hard copy of their Affidavit to the Bombay Address of the Respondent No.3 and also served soft copy of the same to the respective emails of the Respondents including the email id of the Advocate of the Respondent No. 3.</p> <p>The Respondent No.1 submitted an Affidavit in response to the Affidavit of</p>	

the Complainant which has been received on 10.12.2025.

Heard all the parties in detail.

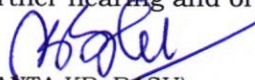
Advocate of the Respondent No.1&2 raised question about the maintainability of this Complaint petition stating that the Agreement for Sale was not registered. Heard and rejected the plea of the Respondent No.1 & 2.

As per provision of section 13(1) it is the responsibility of the promoter himself not to accept any sum more than 10% of the cost of the apartment from a person without entering into a written Agreement for sale with such person and register the same under the prevalent law. Respondent did not comply that provision of Act and has taken money from the Complainant more than 10% of the cost of the Apartment.

Now after hearing all the parties, the Authority is hereby pleased to give the following directions:-

- A. The Respondent No.1 & 2 shall submit parawise reply on the merit of the case and send the same in original to the Authority with copy to the Complainant as well as Respondent No.3 within **3 weeks** from the date of receiving this order through email.
- B. The Complainant shall send a hard copy of their Affidavit to the Kolkata Address of Respondent No.3. The Respondent No.3 shall provide the same to the Complainant within a day through email.
- C. Respondent No.3 shall send their Affidavit in reply to the Affidavit of the complainant and also in response to the Affidavit of the Respondent No.1 & 2 and send the same in original to the Authority serving copy to the Complainant within **3 weeks** from the date of receiving this order through email.
- D. Complainant is at liberty to submit their rejoinder through notarized affidavit in response to the affidavit of the Respondent No.1,2 & 3 and send the same in original to the Authority serving copy to all the Respondents within **2 weeks** from the date of receiving this order through email.

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

  
(TAPAS MUKHOPADHYAY )

Member

West Bengal Real Estate Regulatory Authority