

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

Complaint No.WBRERA/COM 000825

Atanu Sarkar & Nabamita Deb Complainant

Vs.

Ideal Real Estates Pvt. Ltd. Respondent 1

Nakul Himatsinghka Respondent 2

Sl. Number and date of order	Order and signature of the Authority	Note of action taken on order
02 28.07.2025	Advocate Tanish Ganeriwala along with advocate Jiya Bose (mobile no:- 8777020614 and email id:- kakrania@gmail.com) is present in today's hearing on behalf of the Complainant through online mode and physically respectively, filling hazira and signing the Attendance sheet. Advocate Srijeeta Gupta (email:- srijeetagupta8@gmail.com) is present in today's hearing on behalf of Respondent no.1 through online mode filing hazira. The Advocate of the Complainant filled application for correction in the name of both Respondent no. 1 and 2 in the present complaint matter and prayed that "Ideal Aurum Nirman LLP" be recorded as Respondent No.1 instead of "Ideal Real Estates Pvt. Ltd." and "Exult Realty Private Limited" be recorded as Respondent No.2 in place of "Mr. Nakul Himatsinghka". Heard and granted the prayer of the Complainant. The Complainant submitted an Affidavit in support of his Complaint petition, which has been received on 22.07.2025. The Complainant stated that they were allotted a flat along with car parking space in the project of the Respondent entering into Agreement for Sale and paid Rs. 31,71,602/- out of the total consideration value of 46,61,942/- but they are yet to get the possession of the flat and they prayed before the Authority for delivery of possession along with delay interest. He further submitted that a possession notice dated 02.08.2023 was issued by Yes Bank pertaining to the project for which the Complainant is apprehending creating third party intervention to his legitimate property. The Complainant prayed for an interim relief for protection against any third party	

intervention.

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

- A. Let "Ideal Aurum Nirman LLP" be recorded as Respondent No.1 instead of "Ideal Real Estates Pvt. Ltd." and "Exult Realty Private Limited" be recorded as Respondent No.2 in place of "Mr. Nakul Himatsinghka".
- B. Let Yes Bank Limited be recorded as Respondent No.3 in the instant complaint petition.
- C. The Complainant shall send copy of Affidavit to all the Respondents both in hard and soft versions, within 14 days from the date of receiving this order of the Authority through speed post or through email, whichever is earlier.
- D. The Respondent No.1,2 & 3 shall submit their Affidavits in response to the Affidavit of the Complainant and submit the same to the Authority, serving copy to the Complainant within 21 days from the date of receiving the Affidavit of the Complainant by speed post or by email.
- E. The Respondents are hereby directed to not to create third party rights or transfer any interests in the flat allotted in favour of the Complainant. In no way, the right and interest of the allottee as per provision of Real Estate (Regulation and Development) Act, 2016, shall be hampered by any/all the Respondents.

Fix **15.12.2025** for further hearing and order.



(BHOLANATH DAS)

Member

West Bengal Real Estate Regulatory Authority



(TAPAS MUKHOPADHYAY)

Member

West Bengal Real Estate Regulatory Authority