

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

Complaint No.WBRERA/COM 001090

Philo Sales Pvt. Ltd..... Complainant

Vs

Ideal Real Estate Pvt. Ltd Respondent 1

Yes Bank Limited..... Respondent 2

Sl. Number and date of order	Order and signature of the Authority	Note of action taken on order
03 20.05.2025	Complainant is absent in the hearing today despite due service of the hearing notice through email. Advocate Srijeeta Gupta is present in the hearing today on behalf of the Respondent No.1 through online mode. Advocate Mr. Sourjya Roy (Mob. No. 9836486947 & email Id srjroy8@gmail.com) is present in the hearing physically today on behalf of the Respondent No.2 filing Vakalatnama and Hazira. And signed the Attendance Sheet. Heard the Respondents in detail. Respondent No.1 stated that she received a notary attested written submission, from the Complainant but it was not in proper Affidavit format. She also stated that in the said submission Respondent No.1 and Respondent No.2 has been interchanged which is also misleading on the part of both the Respondents. She further stated that a one-time process of settlement is going on with the Respondent No. 2 and therefore he did not submit the response of the written submission received from the Complainant. Respondent No.2 stated that he did not receive the Affidavit of the Complainant as per order of the Authority dated 18.02.2025 and therefore he could not submit his response. Instead of that he submitted one Affidavit stating that an Appeal and/or writ application has been preferred before the Hon'ble High Court Calcutta, vide SAT No. 3/2025 (SMAT 3/2025) by Yes Bank Ltd. vs Mega Resource and Another, and the Hon'ble High Court is in session over the matter. And he prayed to stop further proceeding of the all the identical cases till final disposal of the matter by the Hon'ble High Court	

Calcutta as the identical matters on the same point of law are under consideration of the Hon'ble Court.

After hearing the Respondents the Authority is hereby pleased to give following directions:-

- A. The submission of the notary attested application as received from the Complainant, is hereby accepted as submission of Affidavit as per order of the Authority dated 18.02.2025 and change of Respondent No.1 and 2 stands corrected as per submission of the Ld. Advocate of the Respondent No.1.
- B. As the writ petition submitted before the Hon'ble High Court Calcutta is related to Yes Bank Ltd. vs Mega Resource and Another, but not related to the instant case no. WBRERA/COM 001090, the Authority shall proceed further in the instant case.
- C. Complainant is directed to send the copy of notary attested submission to the Respondent No.2 which he already sent before the Authority and to Respondent No.1, within further **15 days**, from the date of receipt of this order of the Authority.
- D. The Respondent No.2 is directed to submit Affidavit in response to the submission of the Complainant within **15 days** after receiving the same from the Complainant.

Fix **21.08.2025** for further hearing and order.

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


(BHOLANATH DAS)
Member

West Bengal Real Estate Regulatory Authority