

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

Complaint No. WBRERA/COM001267

CAMLIN TIE UP PVT. LTD. .... Complainant

Vs.

IDEAL AURUM NIRMAN LLP.. .... Respondent.

| Sl. Number and date of order | Order and signature of Authority                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | Note of action taken on order |
|------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------|
| 01<br>20.05.2025             | <p>The Complainant, Camlin Tie Up Pvt. Ltd. is represented by its Director, Utkarsh Shroff, (Email ID:shroffship@gmail.com Phone No. 9831608889) physically in the instant hearing today. He has submitted hazira and authorization letter which should be kept in record.</p> <p>The Respondent, Ideal Aurum Nirman LLP was well informed but no one appeared.</p> <p>Today is the Admission hearing.</p> <p>The Complainant stated that vide an Agreement for Sale of two flats in the project Ideal Aurum Nirman LLP on 1<sup>st</sup> October, 2020 where it was stated that the delivery will made within December, 2021. The Complainant paid Rs.90,92,037/- for the said two flats. The Agreement was signed by Mr. Nakul Himatsingka so he must be included as the Respondent No. 2 in the instant proceeding. The project registered under WBHIRA on 15/11/2018 being HIRA/P/SOU/2018/000144.</p> <p>The Complainant stated that the Respondent failed to complete the construction within the stipulated time. The Respondent misrepresented that the flats were free from encumbrances but it appears that the same is mortgaged with YES Bank Ltd and the said Bank is now going to make auction of the said flats for which they have published notice where his two flats finds mention. The complainant stated that the Bank Authority must be included as Respondent No. 3 in the instant proceeding. The Complainant requested the Respondent1 and 2 to refund the amount along with interest and compensation as mandated by the RERA Act 2016.</p> <p>The Complainant prayed for refund of total amount of Rs.90,92,037 along with interest at State Bank of India's Prime Lending Rate + 2% from the date of default until payment. Compensation for the financial loss and mental agony caused due to the misrepresentations and breaches committed by the Developer/Respondent. Penalty against the Developer for misleading representations, delay in completion and failure to honor contractual commitments. Cancellation of the Agreements for Sale for Flat No. 6B and Flat No. 2D after the refund of the total amount mentioned above. Legal action against Mr. Nakul Himatsingka and Ideal Aurum Nirman LLP under applicable provisions of</p> |                               |

law. The complainant also prayed for Ad-interim order preventing the Developer and the Bank from creating any third party rights, encumbrances, or liens on the said Flats until the matter is resolved.

After hearing the Complainant, the Authority is pleased to admit this matter for further hearing and order as per the provisions contained in Section 31 of the Real Estate (Regulation and Development) Act, 2016 read with Rule 36 of the West Bengal Real Estate (Regulation and Development) Rules, 2021 and give the following directions:-

The Complainant is directed to submit his total submission regarding the Complaint Petition on a Notarized Affidavit mentioning details of complaint and the reliefs sought for annexing therewith notary attested /self-attested copy of supporting documents and a signed copy of the Complaint Petition Form 'M' and send the Affidavit (in original) to the Authority serving a copy of the same to the Respondent No. 1 and the added Respondent No. 2, Yes Bank Limited, both in hard and scan copies, within **2 (two) weeks** from the date of receipt of this order of the Authority by email.

The Respondents are hereby directed to submit their Written Response on notarized affidavit regarding the Complaint Petition and Affidavit of the Complainant, annexing therewith notary attested/self-attested copy of supporting documents, if any, and send the Affidavit (in original) to the Authority serving a copy of the same to the Complainant, both in hard and scan copies, within **2 (two) weeks** from the date of receipt of the Affidavit of the Complainant either by post or by email whichever is earlier.

Further the Authority is pleased to:-

- a) direct the Office of this Authority to include Mr. Nakul Himatsingka as the Respondent No. 2 the Yes Bank Limited, 56A, Hemanta Basu Sarani, Stephen House, Ground and Mezzanine Floor, Dalhousie, Kolkata – 700 001 as Respondent No. 3;
- b) pass an Ad interim order directing the Respondents and its agent not to create any third party interest or to attach and/or encroach and/or make any auction sale and/or make any deviation from the terms and conditions committed by the respondents to the complainant in the Agreement of Sale executed between them over the said Flats as mentioned in the complaint itself during the course of the hearing of the complaint or till further order;
- c) Respondent are further directed to submit if the Project has obtained the Completion Certificate from the Sanctioning Authority as per the completion date mentioned in the Registration certificate being HIRA/P/SOU/2018/000144 issued by WBHIRA on 15/11/2018 including other Project details as mentioned are adhered to by them.

Fix **8 (eight) weeks** for further hearing and order.



(JAYANTA KR. BASU)  
Chairperson

West Bengal Real Estate Regulatory Authority