

27.02.2026
Court No. 06
Item No. 23
Sandip

IN THE HIGH COURT AT CALCUTTA
CIVIL REVISIONAL JURISDICTION
APPELLATE SIDE

C.O. 2941 of 2025
I.A. No : CAN 1 of 2025
CAN 2 of 2025 (Disposed of)
CAN 3 of 2026

Ideal Real Estates Private Limited
-Versus-

Sri Anil Kumar Agarwal

Mr. Ayan Banerjee,
Ms. Debjani Sengupta,
Mr. Saubhik Chowdhury,
Ms. Sayantani Banerjee
.....for the petitioner
Mr. Shaunak Ghosh,
Ms. Shreyasi Maity
....for the opposite party.

- 1) CAN 3 of 2026, is an application for extension of interim order that was passed on August 13, 2025.
- 2) By the order impugned, the petitioner has challenged an order of execution dated July 22, 2025 passed by the learned West Bengal Real Estate Regulatory Authority in Complaint No. WBRERA/COM 000010, in an execution proceeding.
- 3) The learned Court had directed the District Magistrate, South 24 Parganas to execute the order dated December 20, 2023 passed in WBRERA/COM 000010 by the authority under the provisions of Rule 25 of the West Bengal Real Estate (Regulation & Development) Rules, 2021, within a month from the date of receipt of the certified copy of

the order dated December 20, 2023. While passing the order impugned, the learned Tribunal recorded that the respondent was absent despite intimation of hearing of the execution case.

4) Mr. Ayan Banerjee, learned advocate for the petitioner submits that the petitioner had filed an affidavit praying for adjustment of certain payments which had been made towards the satisfaction of the amount directed to be paid by the order dated December 20, 2023. The amount as directed by the order dated December 20, 2023 would be substantially reduced if the adjustment were made.

5) Mr. Shaunak Ghosh, learned advocate for the opposite party/complainant submits that those payments were not in terms of the decision of the authority. The payments made, were extraneous to the final adjudication of the dispute.

6) Be that as it may, it appears to this Court that an affidavit was already on record, seeking adjustment of the amount which had already been paid but the Court did not take the same into consideration. None appeared on behalf of the petitioner. Under such circumstances, in my view, justice would be sub-served if the affidavit filed by the petitioner in the execution case is considered and the issue is re-adjudicated upon contested hearing. The order impugned is set aside. The learned Tribunal is directed to dispose of the said matter within three weeks from the date of communication of this order.

7) Accordingly, the revisional application is disposed of.

8) In view of the disposal of the revisional application, the connected applications, if any, are also disposed of.

9) There appears to be multiple advocates who appeared for the petitioner.

10) This Court directs the Tribunal to send the link indicating the date and time of the proceeding at the following e-mail I.D., namely nclt @ sinha co. com in the name of Sayantani Banerjee.

11) Urgent photostat certified copy of the order, if applied for, be given to the parties, upon usual undertakings.

(Shampa Sarkar, J.)