

*Debabrata Ganguly*

ADVOCATE  
HIGH COURT, CALCUTTA

**CHAMBER :**  
TEMPLE CHAMBERS,  
6, OLD POST OFFICE STREET  
A.C. BASEMENT ROOM NO. 14-A  
KOLKATA - 700 001  
☎ : 2243 0976 📞 : 98748 90866  
E-mail : debabrataga@gmail.com

TO

Speed post with A/D

Date: 11<sup>th</sup> September, 2020

1. M/s Ideal Real Estates Private Limited,
2. M/s Exult Apartments Private Limited,
3. M/s Exult Infrastructure Private Limited,
4. M/s Exult Shelters private Limited,
5. M/s Exult Real Estates & Developers Private Limited,
6. M/s Exult Constructions Private Limited,
7. M/s Exult Residency Private Limited,
8. M/s Greenview Kutir Private Limited,
9. M/s Greenview Mansions Private limited,
10. M/s Greenview Hospitality Private Limited,
11. M/s Greenview infrahomes Private Limited,
12. M/s Greenview Procon Private Limited,
13. M/s Greenview Infrabuild Private Limited,
14. M/s Greenview Infraawas Private Limited,
15. M/s Greenview Niwas Private Limited,
16. M/s Exult Enclave Private Limited,
17. M/s Exult Buildcon Private Limited,
18. M/s Exult Homes Private Limited,
19. M/s Ideal Realcon Private Limited,
20. M/s Ideal Carries & Logistics Private Limited,
21. M/s Ideal Infralogistics Private Limited,

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Page

RESIDENCE : 75, BAGHAJATIN PLACE, KOLKATA - 700 086  
MOBILE : 98748 90866 / 70447 19298

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22. M/s Exult Heights Private Limited,
23. M/s Exult Nirman Private Limited,
24. M/s Ideal Devcon Private Limited,
25. M/s Ideal Infrabuild Private Limited,
26. M/s Odin Housing Private Limited,
27. M/s Exult Estates Private Limited,
28. M/s Ideal Awas Private Limited,
29. M/s Ideal Nice Plaza Private Limited,
30. M/s Ideal Marrygold Highrise Private Limited,
31. M/s Ideal Orchid Nirman Private Limited,
32. M/s Ideal Silverline Buildcon Private Limited,
33. M/s Ideal Niwas Private Limited,
34. M/s Ideal Rose Developers Private Limited.

**All Having their Registered Office at 50,  
Jawaharlal Nehru Road, Kolkata- 700071;**

35. Sri. Om Prakash Himatsingka
36. Smt. Manisha Himatsingka
37. Sri. Revant Himatsingka
38. Sri Nakul Himatsingka
39. Sri Srawan Kumar Himatsingka
40. Sri. Pranav Himatsingka,

**All residing at 19B, Mandeville Gardens,  
"Rajiv Apartment", Flat No.18  
Kolkata- 700019;**

41. M/s Greenview Enclave Private Limited,
42. M/s Greenview Infranirman Private Limited,
43. M/s Greenview Awas Private Limited,

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RESIDENCE : 75, BAGHAJATIN PLACE, KOLKATA - 700 086  
MOBILE : 98748 90866 / 70447 19298

44. M/s Exult Real Estates Consultants Private Limited,
45. M/s Exult Real Estates Agents Private Limited,
46. M/s Exult Transport Private Limited,
47. M/s Exult Builders Private Limited,
48. M/s Greenview Garden Private,
49. M/s Greenview Infrahousing Private Limited,
50. M/s Greenview Infrealtors Private Limited,
51. M/s Greenview Infraestates Private Limited,
52. M/s Green view Shelters Private Limited,
53. M/s Greenview Complex Private Limited,
54. M/s Greenview Devcon Private Limited,
55. M/s Greenview Colonizers Private Limited,
56. M/s Greenview Abasan Private Limited,
57. M/s Greenview Cottage Private Limited,
58. M/s Greenview Heights Private Limited,
59. M/s Greenview Infralogistics Private Limited,

**All Having their registered address at 222,  
A.J.C. Bose Road, Room No.6 Kolkata- 700017;**

60. Smt. Kanak Himatsingka  
Residing at 20, Mandeville Gardens,  
Kolkata-700019;

**In Re:** Agreement dated 21<sup>st</sup> April, 2014.

**Subject:** Residential flat No.16C on the 16<sup>th</sup> Floor,  
Block- Barbet & one covered Car Parking  
Space No. B-120 at "Ideal Aquaview"



*Debrata Ganguly*  
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E-mail : debabrataga@gmail.com

**My Clients:** Sri. Siddhartha Mitra & Smt. Aditi Mitra  
of 6, Sunny Park, Kolkata-700019.

Sir/Madam/To whom it may concern,

Under specific instruction from and on behalf of my above named clients, I hereby address you as follows:

By and under the above referred agreement dated 21<sup>st</sup> April, 2014 you have agreed to sale and reciprocally my clients have agreed to purchase all that Residential Flat No.16C Admeasuring about 792 Sq. Ft. (Built up area) on the 16<sup>th</sup> Floor comprised in Block- Barbet & one covered Car Parking Space No.B-120 at the basement with common amenities and facilities situated and lying at Holding No.1 (provisional) within Bidhan Nagar Municipality Ward No.1 under Salt Lake Electronic Complex Police Station, District- North 24 Parganas, as mentioned in the said Agreement for sale to be constructed as per sanction Plan/Permit No. A/BM/623 dated 1/11/2013 at a total consideration of Rs. 60,95,474/- (Rupees Sixty Lakhs Ninety Five thousand Four Hundred and Seventy Four only) inclusive of all charges and taxes as mentioned and specified in said sale agreement.

At the time of Agreement it was represented and assured (as would be evident from the covenants in the sale agreement) that the addressee No. 2 to 60 of this letter are the owners of the entire land as mentioned in the First schedule of the said agreement.

In Clause 5.4 of the said agreement it was also represented and assured that 'By and under two agreements dated 18<sup>th</sup> January, 2014, you the addressee No.2 to 60 of this letter as owners have

*y*

agreed to sale, on the terms and conditions therein recorded, their entire collective right, title and interest in the said property along with the benefit of the sanctioned plan to the addressee No.1 namely M/S Ideal Acqua View herein after called "Ideal" on the understanding that Ideal as Builder and Promoter of the said real Estate, has agreed to purchase the said property on behalf of the prospective buyers(transferee) who will purchase Flat and other spaces in the said Complex. In part performances owners have authorized "Ideal" to develop built upon and construct and transfer various Flats and Appurtenances to the transferees who shall be nominated by the Ideal to conveyance/transfer of the undivided share of the said property along with the benefit of the Sanction Plans, as be attribute to their respective flats. It has been agreed in the both of the said agreement dated 14<sup>th</sup> January 2014 that ideal alone shall be entitled to receive all consideration from the transferees, whether the same be for undivided shares in the said land contained in the said property or for the flats and the owners shall not shall not have any interest or claim in such consideration.

In terms of clause 9.5 of the said agreement, it has been specifically agreed that 'ideal' shall construct, finish and make the flat of the buyers (including my client) habitable and the parking space useable in accordance with the provisions of clause 9.6.3 on or before 30<sup>th</sup> June, 2017 for Blocks- C, D, F and 31<sup>st</sup> December, 2017 for Blocks- A, B & E which may be extended for one year due to

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circumstance of Force Majeure.

My clients as purchaser of the flat and car parking space have fulfilled its part of the obligation in making timely payment of all the installments within the time specified in the part 11 of the 6<sup>th</sup> Schedule of the said agreement without any delay or default and till date paid a total consideration of Rs. 54,85,934/- (Fifty four Lakhs Eighty five Thousand Nine Hundred and Thirty four) only out of the said total agreed amount of Rs.60,95,474/- (Sixty Lakhs Ninety Five Thousand Four Hundred and Seventy Four) only.

In spite of repeated assurance and making timely payment of all installments covering almost the entire consideration, it is apparent that you have miserably failed and/or neglected to complete the project in all respect as assured and represented in the said agreement for sale. Till date my clients have do not have possession of the Flat and the Garage thereby suffering loss and mental agony. Such act and conduct is without any doubt deficiency of service to a customer and a clear case of falsifying a proposed buyers in not transferring the title of the property on completion of the project within the time as specified in the said Agreement and is clearly violating the Provision of law in Section 17 of the Real Estate (Regulation & development) Act, 2016 (hereinafter referred to as the 'said Act') and therefore entitled to return of the amount paid and as well as compensation as per Section 18 of the said act.

In said development agreement it was specified that in case of delay in making timely payment of the installments your are entitled to charge interest @ 2% pm, therefore my clients hereby call upon you to refund the said amount of Rs. **54,85,934/-** (Fifty four Lakhs

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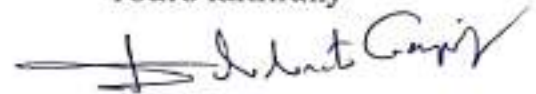
**rata Ganguly**  
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Eighty five Thousand Nine Hundred and Thirty four) only together with interest @ 2% pm till the date of actual payment and compensation within 15 days from the receipt of this letter in failure of which my clients will be compelled to approach Real Estate Regulatory Authority appointed under the provision of the said Act for taking necessary action.

Thanking you

Yours faithfully

  
Advocate

N.B -E mail service of this legal notice has been effected upon all the addressee companies as per record of the respective Companies.

  
Debabrata Ganguly, Advocate  
High Court, Calcutta  
Regd. No.- WB / 1068 / 82  
6, Old Post Office Street  
A. C. Basement, Room No. 14-A  
Kolkata - 700 001

EM0726271N 19618250/NEW/Debra Post  
SP TREASURY BUILDING SO 0900010  
Counter No:2,14/09/2020,12:44  
To:STI IBER, 829, KOLKATA  
PIN:700071, Middleton Row St  
From:KESARPATH 6,75, 8 PLACE  
WIS:3pas

441:17.70(Cash)14:12.70  
(Track on [www.india.gov.in](http://www.india.gov.in))  
2141 18002668865 OK

EM0726271N 19618250/NEW/Debra Post  
SP TREASURY BUILDING SO 0900010  
Counter No:2,14/09/2020,12:44  
To:STI PRANJAY HOMINATHA, KOLKATA  
PIN:700019, Salliparae St  
From:KESARPATH 6,75, 8 PLACE  
WIS:3pas

441:17.70(Cash)14:12.70  
(Track on [www.india.gov.in](http://www.india.gov.in))  
2141 18002668865 OK

EM0726271N 19618250/NEW/Debra Post  
SP TREASURY BUILDING SO 0900010  
Counter No:2,14/09/2020,12:44  
To:STI KAVAY KINALSINGHA, KOLKATA  
PIN:700019, Salliparae St  
From:KESARPATH 6,75, 8 PLACE  
WIS:3pas



हिन्दी



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## Track Consignment

\* Indicates a required field.

\* Consignment Number  
EW256319294IN

Track Now

Quick help

Booked At	Booked On	Destination Pincode	Tariff	Article Type	Delivery Location	Delivery Confirmed On
Treasury Building SO	21/09/2020 12:45:41	711322	41.30	Inland Speed Post	Panchla SO	25/09/2020 14:19:22

### Event Details For : EW256319294IN

Current Status : Item Delivery Confirmed

Date	Time	Office	Event
25/09/2020	14:19:22	Raghudevapur BO	Item Delivery Confirmed
24/09/2020	13:13:04	Panchla SO	Dispatched to BO
24/09/2020	10:19:27	Panchla SO	Item Received
21/09/2020	22:07:46	KOL AP TMO	Item Received
21/09/2020	15:50:02	Treasury Building SO	Item Dispatched
21/09/2020	15:49:12	Treasury Building SO	Item Bagged
21/09/2020	12:45:41	Treasury Building SO	Item Booked

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09/11/2020

Email - Notice

M Gmail

Debabrata Ganguly <debabrataga@gmail.com>

**Notice**

1 message

Fri, Sep 11, 2020 at 8:33 AM

Debabrata Ganguly <debabrataga@gmail.com>

To idealrocklings@gmail.com, pishanhiyam.pandya@ideal.in, sanjay.stah@ideal.in

Sir/Madam/To whom it may concern,

Please find enclosed a letter addressed by my clients Sri Sidhartha Mitra and Smt Aditi Mitra which is self explanatory.

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pfa

Regards,

Mr. Debabrata Ganguly, Advocate

Disclaimer:

This e-mail and any files transmitted with it are the sole property of the sender and recipient and are confidential and privileged information. If you are not the intended recipient, please contact the sender by e-mail to advise and delete any copies of this e-mail and any files transmitted with it. If you are not the intended recipient, please contact the sender by e-mail to advise and delete any copies of this e-mail and any files transmitted with it. If you are not the intended recipient, please contact the sender by e-mail to advise and delete any copies of this e-mail and any files transmitted with it. If you are not the intended recipient, please contact the sender by e-mail to advise and delete any copies of this e-mail and any files transmitted with it.

Letter to Ideal.pdf  
96K



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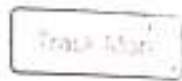
## Track Consignment

Quick help

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\* Consignment Number

EW078369371IN



Booked At	Booked On	Destination Pincode	Tariff	Article Type	Delivery Location	Delivery Confirmed On
Treasury Building SO	14/09/2020 12:44:10	700071	17.70	Inland Speed Post	Middleton Row SO	16/09/2020 15:05:23

Event Details For : EW078369371IN

Current Status : Item Delivery Confirmed

Date	Time	Office	Event
16/09/2020	15:05:23	Park Street HO	Item Delivery Confirmed
16/09/2020	11:08:08	Park Street HO	Out for Delivery
16/09/2020	09:40:23	Park Street HO	Item Received
16/09/2020	01:13:39	KOL AP TMO	Item Dispatched
15/09/2020	15:43:54	KOL AP NSH	Item Bagged
15/09/2020	11:16:06	KOL AP NSH	Item Received
15/09/2020	08:46:52	KOL AP TMO	Item Received
15/09/2020	01:33:29	Kolkata RMS Mails TMO	Item Dispatched
15/09/2020	01:27:24	Kolkata RMS Mails TMO	Item Received
14/09/2020	15:53:37	Treasury Building SO	Item Dispatched
14/09/2020	15:45:07	Treasury Building SO	Item Bagged
14/09/2020	12:44:10	Treasury Building SO	Item Booked

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Quick help

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\* Consignment Number

EW078369371IN

Track Consignment

Booked At	Booked On	Destination Pincode	Tariff	Article Type	Delivery Location	Delivery Confirmed On
Treasury Building SO	14/09/2020 12:44:10	700071	17.70	Inland Speed Post	Middleton Row SO	16/09/2020 15:05:23

Event Details For : EW078369371IN

Current Status : Item Delivery Confirmed

Date	Time	Office	Event
16/09/2020	15:05:23	Park Street HO	Item Delivery Confirmed
16/09/2020	11:08:08	Park Street HO	Out for Delivery
16/09/2020	09:40:23	Park Street HO	Item Received
16/09/2020	01:13:39	KOL AP TMO	Item Dispatched
15/09/2020	15:43:54	KOL AP NSH	Item Bagged
15/09/2020	11:16:06	KOL AP NSH	Item Received
15/09/2020	08:46:52	KOL AP TMO	Item Received
15/09/2020	01:33:29	Kolkata RMS Mails TMO	Item Dispatched
15/09/2020	01:27:24	Kolkata RMS Mails TMO	Item Received
14/09/2020	15:53:37	Treasury Building SO	Item Dispatched
14/09/2020	15:45:07	Treasury Building SO	Item Bagged
14/09/2020	12:44:10	Treasury Building SO	Item Booked

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### Track Consignment

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\* Consignment Number

EW0765693993N

Booked At	Booked On	Destination Pincode	Tarif	Article Type	Delivery Location	Delivery Confirms On
Treasury Building SO	14/05/2020 12:44:10	700015	17.70	Hand Speed Part	Baliyungge SO	16/05/2020 14:31:11

Event Details For : EW0765693993N

Current Status : Item Delivery Confirmed

Date	Time	Office	Event
14/05/2020	14:31:02	Baliyungge SO	Item Delivery Confirmed
16/05/2020	09:26:03	Baliyungge SO	Out for Delivery
16/05/2020	09:20:46	Baliyungge SO	Item Received
16/05/2020	01:40:06	KOL AP TMD	Item Disassembled
16/05/2020	16:15:15	KOL AP NSH	Item Bagged
16/05/2020	11:16:06	KOL AP NSH	Item Received
16/05/2020	08:46:52	KOL AP TMD	Item Received
16/05/2020	01:33:29	Kobala RUM Maki TMD	Item Disassembled
16/05/2020	01:27:24	Kobala RUM Maki TMD	Item Received
14/05/2020	16:45:07	Treasury Building SO	Item Bagged
14/05/2020	12:44:10	Treasury Building SO	Item Booked