

ORDER SHEET

WEST BENGAL HOUSING INDUSTRY REGULATORY AUTHORITY

Complaint No. COM-000023 of 2018

Mr. Dipankar Ghosh.....Complainant

AND

P S Group,Respondent

Sl. Number and date of order	Order and signature of Officer	Note of action Taken on order
2 ----- 14-02-2019	<p>An online complaint was received as per Section-31 of the West Bengal Housing Industry Regulation Act, 2017 vide complain No. COM-000023 dated 21/12/2018 to the WB Housing Industry Regulatory Authority from Complainant Shri Dipankar Ghosh of Udita, Flat No 902, Dwitiya Tower, 1050/1 Survey Park, Kolkata - 700075 against PS Group and as per Rule 36 of the West Bengal Housing Industry Regulation Rules, 2018. NOTICE was issued for the alleged contravention and the Respondent and the Complainant were directed to appear for hearing at the Office of the WB Housing Industry Regulatory Authority, Calcutta Greens Commercial Complex (1st Floor), 1050/2, Survey Park, Kolkata-700 075 along with relevant documents on 10/01/2019.</p> <p>The Complainant stated in his complaint :-</p> <p>That on 19th July, 2018, the complainant booked Flat No. 9E of Tower-2 , in his wife Mrs. Lekha Ghosh's name based on the information that the flat will be delivered by end 2021, and deposited Rs336,000/- as booking amount. The date of possession and Project Payment schedule with dates was discussed and verbally confirmed by the Respondent.</p> <p>That on 22nd Oct.'18, the Complainant received booking confirmation from the Respondent.</p> <p>That on 15th Nov.'18, the Complainant received demand letter for 10% payment after adjusting the booking amount.</p> <p>That on 16th Nov.'18, the Complainant received Draft purchase agreement, where possession date was mentioned as 13th Feb., 2023 instead of end 2021. There is a delay of 14 months.</p> <p>That on 22nd Nov.'18, the Complainant met representative of the respondent to discuss the draft agreement, who informed that actual delivery will be end 2021, and date based project plan will be sent.</p>	


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That on 1st Dec.'18, the Complainant was informed that the Respondent will not provide the Project Construction date based Payment Schedule.

That on 14th Dec.'18, the complainant requested the Respondent to cancel the booking and refund the booking amount of Rs336,000/- by 20th Dec.'18 due to the extension of possession date and non-availability of Project Construction date based Payment Schedule.

On the date of hearing, ie on 10/01/2019, the representative of the respondent appeared and the complainant himself appeared.

In the complaint, the complainant has also prayed for instructions upon the respondent to refund the booking amount in full plus the interest since the respondent has deviated from their commitment during booking.

During the hearing, the Complainant submitted that the refund of Rs. 3,36,000/- has been received by the complainant and the complainant has no grievances against the respondent.

In this regard, the Complainant submitted letter dated 03.01.2019 duly signed by the complainant.

Later, the matter was put up for disposal.


It transpires from the letter dt. 03/01/2019 issued by Smt. Lekha Ghosh and counter signed by the complainant that the matter has been mutually agreed by both the parties and the differences have been resolved with the refund of Rs. 3,36,000/- by the respondent to the complainant.


It is a fact that the complainant has received Rs. 3,36,000/- from the respondent and the complainant has no grievances against the respondent.

Hence, the matter is disposed of.

Let a copy of the order be provided to both the parties.

Since the differences between the parties have been mutually resolved and the complainant wishes to withdraw the complaint, the complaint is dismissed as withdrawn.


Designated Authority,
Housing Industry Regulatory Authority


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