

**Office of the Housing Industry Regulatory Authority, West Bengal  
Calcutta Greens Commercial Complex(1<sup>st</sup> Floor),  
1050/2, Survey Park, Kolkata-700 075**

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Order No. 3 dated 12/12/2019, the Complaint No. **COM-000105** dated **24/07/2019**, WB HIRA Authority will take up for further hearing on **20/01/2020 at 11.00 a.m.** at the Office of the WB Housing Industry Regulatory Authority, Calcutta Greens Commercial Complex (1<sup>st</sup> Floor), 1050/2 Survey Park, Kolkata-700 075, in accordance with Rule 36 of West Bengal Housing Industry Regulation Rules, 2018 (Copy of Order No. 3 dated 12/12/2019 enclosed herewith for compliance).

Both the Complainant and Respondent are directed to appear for hearing on the date and time stated above.

Take a Note to the provision of Rule 36(2)(h) reproduce herein "if any person fails, neglects or refuses to appear, or present himself as required before the Authority, the Authority shall have the power to proceed with the inquiry in the absence of such person or persons after recording the reasons for doing so."

Enclosure : As stated above.

This Order is in supersession of this Office's Notice No. 1137(2)-Housing Industry Regulatory Authority, West Bengal dated 16/12/2019.

  
**Secretary,  
Housing Industry Regulatory Authority  
West Bengal**

**No. 1243(2)-HIRA/1C-86/2019**

**Dated: 30/12/2019**

Copy forwarded for information and taking necessary action.

1. **Respondent: Aristo Infra Developers LLP, 207 AJC Bose Road, Kolkata – 700 017.**
2. **Complainant : Nirmalendu Sinha Roy, 160, Rabindranagar, PO- Dankuni, Dist. – Hooghly, Pin- 712311.**

  
**Secretary,  
Housing Industry Regulatory Authority  
West Bengal**

**ORDER SHEET**


**WEST BENGAL HOUSING INDUSTRY REGULATORY AUTHORITY**

Complaint No. COM-000105 of 2019

Nirmalendu Sinha Roy.....Complainant

AND

Aristo Infra Developers L.L.P .....Respondent

Sl. Number and date of order	Order and signature of Officer	Note of action Taken on order
3 ----- 12-12-2019  Dictated & corrected by me  	<p>Complainant is present filing hazira.</p> <p>Authorised representative of the Respondent Promoter is present.</p> <p>Complainant verbally submitted before this Authority that the possession notice given by the Respondent is not acceptable to him and prayed for refund of entire amount paid by him to the Respondent for the breach of the Respondent in delivery of possession of the flat within the timeframe as per clause 9.5 of the Agreement for sale executed between the parties on 27.04.2016.</p> <p>Respondent submitted that the Company is ready to refund the amount to the Complainant as claimed by him in instalments.</p> <p>Heard both the parties in detail.</p> <p>The Complainant is directed to submit a written application with the prayer for refund of the entire amount paid by him to the Respondent excluding GST ,if any, alongwith the rate of interest, as agreed upon between the parties as per the Agreement for Sale, for the period from the date of</p>	dispatched on 19.12.19 & 31.12.19

deposit by the Complainant to the date of refund by the Respondent.

Dictated  
& corrected  
by me



The Respondent is directed to file a 'Written Schedule of Refund' on Affidavit before this Authority providing specific time frame of refund .The Affidavit should clearly provide the calculation sheet of the interest amount calculated with the rate of interest and period of interest and to be submitted within one week from the date of receipt of this order serving a copy to the Complainant. The refund shall be made only by bank transfer on the bank account of the Complainant. The Final instalment must be given by the Respondent on or before 31.03.2020.

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

Fix 07.01.2020 for further hearing and orders.

  
(ONKAR SINGH MEENA)  
Designated Authority,  
Housing Industry Regulatory Authority,  
West Bengal.