

ORDER SHEET

WEST BENGAL HOUSING INDUSTRY REGULATORY AUTHORITY

Complaint No. COM-000125 of 2019

✓ **Prasenjit Dutta.....Complainant**

AND

Ideal Real Estates Pvt. Ltd.....Respondent

Sl. Number and date of order	Order and signature of Officer	Note of action Taken on order
4 ----- 10-12-2019	<p data-bbox="355 965 847 999">Complainant is present, filing hazira..</p> <p data-bbox="300 1048 1321 1133">Mr. Anuj Tulsyan, Director of Respondent Company is personally present, filing hazira.</p> <p data-bbox="300 1182 1321 1547">This is submitted by Mr, Tulsyan on behalf of the Respondent Company that the Respondent Company is not filing any prayer challenging maintainability of the complaint petition under the WBHIRA Act. 2017, as claimed by the representative of the Company on previous day of hearing and recorded in the proceeding. Written submissions to this effect being filed by Mr. Tulsyan is taken on record. Accordingly, the question of maintainability is decided in favour of the Complainant.</p> <p data-bbox="300 1597 1321 2016">A written offer on affidavit has been filed by the Respondent at the time of hearing, serving a copy to the Complainant, wherein the Respondent Company admitted the claims of the Complainant and agreed for refund of the entire amount along with applicable interest amount in terms of agreement for sale in 13 instalments commencing from December, 2019 and concluding on 5/12/2020. It is further submitted that interest due to delay for 12 months has been calculated at the rate of 12% per annum, in terms of clause 12.3 of the sale agreement from the scheduled date of delivery of possession on the entire</p>	

Dictated
& corrected
by me



Dictated
& corrected
by me



Hence, it is


Ordered,

that the Respondent shall refund by bank transfer the entire admissible amount along with rate of interest at the rate of 12% per annum from the date of deposit of fund to the Respondent till its refund to Complainant within September, 2020, first instalment being refunded within December, 2019.

There are no further orders as to cost and any other compensation in view of the submissions of the Complainant that he is satisfied with the responses of the Respondent and therefore, not pursuing for any orders on cost and other compensation.

With the above directions the Complainant petition is thus disposed off.

Communicate this order to both the parties.


10.12.2019
(ONKAR SINGH MEENA)
Designated Authority,
Housing Industry Regulatory Authority,
West Bengal.