

**ORDER SHEET**

**WEST BENGAL HOUSING INDUSTRY REGULATORY AUTHORITY**

**Complaint No. COM-000255**

**Dr Minu Biswas .....Complainant**

**AND**

**Pushappalki Realty Pvt Ltd.....Respondent**

Sl. Number and date of order	Order and signature of Officer	Note of action Taken on order
2 ----- 20-03-2020           Dictated & corrected by me	<p>Complainant is present filing hazira. Authorised Representative of the Respondent Shri Himansh Shaver is present filing hazira.</p> <p>Heard both the parties in detail.</p> <p>The Respondent submitted Written Response on Affidavit as per this Authority's Order dated 16.03.2020, serving a copy to the Complainant at the time of hearing.</p> <p>Let the Written Response be taken on record.</p> <p>The case of the Complainant is that he prayed for direction to refund his entire money paid by her to the Respondent as she claims that there are contradictions in the details of the project 'Sridhar Bihar' where she had been allotted the flat with the project details uploaded in the WBHIRA website as disclosed at the time of registration under WBHIRA. The Complainant paid till date total Rs.3,25,000/- to the Respondent as booking amount for the said flat.</p>	

The Respondent denied the allegations made by the Complainant. As per the Respondent there is no discrepancy as alleged by the Complainant.

Respondent further submitted that on cancellation of the Agreement by the Complainant 5 (five) percent of the booking amount shall be deducted and the balance amount shall be refunded to the Complainant.

The Complainant submitted before this Authority that he do not want to proceed with the Agreement and want to cancel it and get the refund.

After examination of the documents on record and taking into consideration the submission of the parties, this Authority is of the view that there does not appear any such discrepancy regarding the information disclosed in the WBHIRA website and the information disclosed to the Complainant. However, as the Complainant wants to not to proceed with the agreement in any way, it is hereby

Ordered,

that the Agreement for Sale executed between the parties shall be deemed to be cancelled from the date of this order. The Respondent shall deduct 5% of the booking amount that is Rs.16,250/- ( 5% of Rs. 3,25,000/- ) and shall refund the balance amount to the Complainant within 45 days from the date of receipt of this order. The refund shall be made by bank transfer to the bank account of the Complainant.

With the above directions, the matter is thus disposed of.

Sd/-

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

certified to be true copy. 2

Secretary  
Housing Industry Regulatory Authority  
West Bengal