

**ORDER SHEET**

**WEST BENGAL HOUSING INDUSTRY REGULATORY AUTHORITY**

**Complaint No. COM-000422**

**Prakash Patwari.....Complainant**

**AND**

**Emami Infrastructure Limited ..... Respondent**

Sl. Number and date of order	Order and signature of Officer	Note of action taken on order
1 ----- 05.03.2021	<p>Complainant is present in the online hearing by filing hazira through email.</p> <p>Learned Advocate, of the Respondent Shri Uttiyo Mallick is present in the online hearing filing hazira and Vakalatnama through email.</p> <p>Heard both the parties at length.</p> <p>The case of the Complainant is that he booked a flat on 17/09/2015 bearing flat no B2-1104 in the project "Emami City" of the Respondent. In terms of the agreement for sale, the flat was scheduled to be completed within March, 2017 with a grace period of 9 months. The Complainant submitted that he is entitled to receive compensation for delay in the delivery of possession as per clause 6.6.2 and 6.6.3 of the agreement for sale. He has received the possession of the flat in November,2019.</p>	

The Complainant prays for the relief of compensation for delay in delivery of possession.


After hearing both the parties, this Authority is pleased to admit this matter for further hearing as per Rule 36(2) of WBHIRA Rules, 2018 as the Authority is of the opinion that there exists sufficient ground prima facie to proceed for further hearing.

The Complainant is directed to submit his total submission regarding this complaint petition on a notarized affidavit annexing therewith a signed copy of the complaint petition and self attested photo copies of other supporting documents and send it to the Authority by speed post or by hand delivery and also through email a scan copy of the same, after serving a copy to the Respondent in the same way, within 3 weeks from the date of receipt of this order by email.

Respondent is directed to submit their Written Response on a notarized affidavit in respect to the complaint petition and send it to the Authority by speed post or by hand delivery and also through email a scan copy of the same, after serving a copy to the Complainant in the same way, within 3 weeks from the date of receipt of the affidavit of the Complainant.

Respondent is further directed to give a refund schedule mentioning the total amount to be refunded along with date / month and amount of refund to be made by the Respondent in each installment to the Complainant in his notarized affidavit as mentioned above.

Fix 17.06.2021 for further hearing and order.



(SANDIPAN MUKHERJEE)  
Chairperson  
West Bengal Housing Industry Regulatory Authority



(HAR GOBIND SINGH)  
Member

West Bengal Housing Industry Regulatory Authority



(TAPAS MUKHOPADHYAY)  
Member

West Bengal Housing Industry Regulatory Authority