

ORDER SHEET

WEST BENGAL HOUSING INDUSTRY REGULATORY AUTHORITY

Complaint No. COM-000122 of 2019


Nand Kishore Rathi.....Complainant

AND

Bengal Shriram Hi-Tech City Pvt. Ltd.....Respondent

Sl. Number and date of order	Order and signature of Officer	Note of action Taken on order
4 ----- 09-12-2019	<p>Ld. Advocate Vinit Sharma on behalf of the Complainant is present.</p> <p>Respondent along with Ld. Advocate is also present and filing hazira.</p> <p>Heard both the parties in detail.</p> <p>The case of the Complainant is that the draft sale agreement as issued by the Respondent Company is not according to the provision WBHIRA Act, 2017 and Rules made there under.</p> <p>Examined the draft of sale agreement and noticed that this is not in agreement with Rule 9 Annexure – A, as the promoter has changed mandatory clauses of binding clause 24 and default clauses on cancellation.</p> <p>The Respondent is directed to re-issue the draft of the agreement for sale to the Complainant in compliance with the provisions of the WBHIRA Act, 2017 and Rules made there under. Clause 24 of the agreement for sale as provided in the WBHIRA Act must be taken into consideration by the Respondent at the time re-issue of the sale agreement. The draft sale agreement shall be issued by the Respondent within one week from the date of receipt of this order.</p>	

Dictated & corrected by me



Thereafter, the Complainant shall communicate the Respondent his decision regarding continuation with allotment the flat within one week from date of receipt of the new draft sale agreement. He shall communicate categorically his decision to the Respondent either to take the possession of the flat or cancellation of the allotment of the flat, as the case may be.

Dictated
& corrected
by me



With the above direction the matter is thus disposed off.



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