ORDER SHEET

WEST BENGAL HOUSING INDUSTRY REGULATORY AUTHORITY

Complaint No. COM-000138 of 2019
Smt. Basanti Halder......Complainant
AND
Ganesh Halder & Ors......Respondent

Sl. Number and date of order	Order and signature of Officer	Note of action Taken on order
10-12-2019	Both the parties are present along with Ld. Advocates representing them. Heard the Ld. Advocates of both the parties in detail. No timeline of completion of works regarding deficiency of services has been filed by the Respondent in terms of this Authority's order dated 21/10/2019 though such offer to submit the written timeline was given by the Respondent. The Respondent submitted that he is seeking time to complete all the works which are required to be completed in terms of the agreement within a period of one month. The items of works which are required to be completed were discussed in detail between the parties during the course of hearing.	
Dictated & corrected by me	Complainant accepted the offer of the Respondent that incomplete works will be completed in a month made orally during hearing, and pleaded that the works be completed as assured today. After examining the materials on record and considering that pending works to be executed by the Respondent shall be taken up and concluded to the satisfaction of the Complainant, this Authority finds it appropriate to allow a time of 45 days from today to complete all the pending and	

Dictated & corrected by me

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incomplete works, which are required to be completed in terms of obligations of the Agreement between the parties and also to issue the notice of possession of the flat, complete in all respect and accompanied by documents like sanction plan and lay out plan of the flat or any other document which may be required for registration of property after possession. All these steps be completed within 45 days from today.

Parties present during hearing agreed to this time line and steps required to complete the process of possession and commencement of registration of the property.

This Authority also considered the prayer regarding admissible compensation as prayed for in terms of Development Agreement and after careful examination of the provisions of the law and facts of the case decided not to pass any orders as this is beyond the scope of WBHIRA Act, 2017 to adjudicate on business interests of land owner and promoter in development agreement, which are not covered under any sections of chapter III and chapter IV related to rights and duties of the promoter and allottee.

Parties are at liberty to appropriate forum on specific performance of the business obligations of the Development Agreement.

Respondent is further directed to submit specific timelines regarding completion of incomplete works to Complainant within a week along with date wise completion timelines in terms of this order.

There are no other orders as to cost and any other compensation.

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

Communicate this order to both the parties.

(ONKAR SINGH MEENA) Designated Authority,

Housing Industry Regulatory Authority, West Bengal.