

Dictated
& corrected
by me



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.