

Dictated
& corrected
by me



show the provisions of law in support of arguments.

I have gone through the provisions of sale agreement and schedule of payment agreed upon between the parties (page 27) which stated that the last and final payment of 5% + tax has to be made before delivery of possession of the property and therefore, the contentions of the Complainant that final payment can be made only after possession, simultaneously with execution of deed is not confirmative with the binding of the sale agreement.

Be it be noted that execution of the deed of conveyance can only take place after completion of the possession on completion of the possession formalities on payment of all dues by the Complainant.

Accordingly this is hereby

Ordered,

that the Respondent shall arrange inspection of the property by the Complainant to satisfy himself before delivery of possession within two weeks from receipt of this order.

On completion of the inspection and the property found to be meeting the requirements of sale agreement to be fit for possession, the Respondent shall hand over possession within two weeks from date of final payment as due to be paid by the Complainant and conclude the execution of deed of conveyance within next one month thereafter.

The other prayers in the complaint petition as regards the prayer for penalty for delayed possession and compensation etc. will be taken on next date of hearing after conclusion of the possession.

Let this order be communicated to both parties.

Fix this matter for hearing and orders on 10/02/2020.


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