

ORDER SHEET

WEST BENGAL HOUSING INDUSTRY REGULATORY AUTHORITY

Complaint No. COM-000117 of 2019

Soma Ghosh.....Complainant

AND

M/s Disha Construction.....Respondent

Sl. Number and date of order	Order and signature of Officer	Note of action Taken on order
1 ----- 17-10-2019	<p>Complainant is present. Heard the Complainant and the Ld. advocate representing the Complainant. Additional documents filed by Ld. Advocate are taken on record.</p> <p>The Complainant is owner of the land having development agreement with the Respondent along with other co-sharers. It is claimed that nine number of flats are under construction as per building plan sanctioned by Kolkata Municipal Corporation and in terms of section 3 of WBHIRA Act, 2017, project should be treated as on going project and must have been registered.</p> <p>However, the Complainant could not adduce any supporting document as regards sell or booking or agreement for sale/advertisement by the Respondent, which could have proved the contravention of section 3 of WBHIRA Act, 2017. This is not the case of the Complainant that any purchase agreement of the property has been breached by the Respondent, and therefore, Complainant is not allottee for the purposes of the WBHIRA Act, 2017.</p> <p>This Authority, on the oral prayer of the Ld. Advocate, allows time to file supporting evidence/documents which can prove contravention of any</p>	u


Dictated
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by me



sections of WBHIRA Act, 2017 and that can be considered sufficient to proceed further in terms of Rule 36(2) of WBHIRA Rules, 2018 for adjudication of this complaint case.

Fix 13/11/2019 for further hearing on maintainability of the complaint petition.

Dictated
& corrected
by me



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