

ORDER SHEET


WEST BENGAL HOUSING INDUSTRY REGULATORY AUTHORITY

Complaint No. COM-000120 of 2019

Mrinmoy Sen.....Complainant

AND

Mr. Hemount Kumar Sikaria.....Respondent

Sl. Number and date of order	Order and signature of Officer	Note of action Taken on order
1 ----- 17-10-2019 Dictated & corrected by me 	<p>Complainant is present. Respondent is not present though the notice has duly been served.</p> <p>Service return be kept on record.</p> <p>Heard the Complainant in detail.</p> <p>The Complainant paid Rs.35,55,157/-(thirty five lakh fifty five thousand one hundred fifty seven) to the Respondent in terms of agreement for sale signed between Respondent on behalf of Chitrahill Realty and the Complainant as purchaser on 09/06/2014 for purchase of a flat having super built up area of 1231 sq. ft as detailed in the sale agreement.</p> <p>The Complainant has fulfilled all the obligations of the sale agreement. Despite this Complainant has been deprived of delivery of possession of the property by the Company of the Respondent.</p> <p>Complainant has now prayed for direction to the Respondent to refund the entire amount along with admissible rate of interest.</p> <p>This Authority after examining the documents and prove of payment as submitted by Complainant, is prima facie satisfied that there are grounds to</p>	

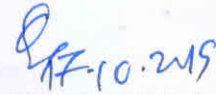
invoke provisions of section 18 of the WBHIRA Act, 2017.

Respondent is thus directed to refund the entire amount realised from the Complainant within 45 days from the date of this order as an ad interim relief.

Issue notice to Respondent to appear personally on next date of hearing and show cause as to why this order is not made absolute along with further order for compensation and interest penalty as admissible, after taking evidence and hearing.

Fixed 26/11/2019 for hearing and final orders.

Dictated
& corrected
by me



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