

**ORDER SHEET**

**WEST BENGAL HOUSING INDUSTRY REGULATORY AUTHORITY**

**Complaint No. COM-000311 of 2020**

**Anil Agarwal.....Complainant**

**AND**

**Ideal Real Estates Pvt. Ltd.....Respondent**

Sl. Number and date of order	Order and signature of Officer	Note of action Taken on order
1 ----- 13-08-2020  Dictated & corrected by me	<p>Ld. Advocate of the Complainant as well as son of the Complainant as Authorized Representative of the Complainant are present in the online hearing and filed hazira .</p> <p>Authorised Representative of the Respondent Shri Anuj Tulsyan informed via email that due to certain illness he could not attend hearing today and sought adjournment for a fortnight.</p> <p>Heard the Complainant in detail.</p> <p>The case of the complainant is that he booked a flat bearing number 9A having built up area of 2617 sq ft in the 9th floor of Block-E of the project named 'Ideal Exotica' of the Respondent. Provisional allotment letter in this respect in favour of the Complainant was issued on 11.04.2014. He has made a total payment of Rs.3,07,99,164/- till date to the Respondent in this regard. An Agreement for Sell was signed between the parties on 04.08.2014 .As per the Agreement the Respondent was bound to deliver the possession of the said</p>	

flat within 30.06.2016 with further grace period of one year.

It is claimed by the Complainant that progress of the project is not at all according to the assurance and the timeline as agreed between the parties as well as the Respondent failed to deliver possession till date. The Complainant prays order for refund of entire payment made by him along with interest and compensation.

Dictated  
& corrected by  
me

After hearing the Complainant, this Authority is satisfied to proceed for further hearing in terms of Rule 36(2)(e) of WBHIRA Rules, 2018 and accordingly Complainant is directed to submit on Notarized Affidavit the submissions made by him today at the time of hearing attaching therewith a copy of the signed Complaint petition and self attested photo copies of supporting documents e.g Advertisement of the project, brochure of the project, allotment letter, General Terms and Conditions, Agreement for Sell, money receipts, correspondences between the parties and/or any other related documents which he has in his possession, to the Authority by speed post and also via email with copy of the same to the Respondent in the same way, within one week from the date of receipt of this order via email.

The Respondent is directed to submit Written Response to the Complaint Petition on Notarized Affidavit containing therewith also the Refund Schedule with Specific Dates and Amount of refund, by speed post and also by email to this Authority and send a copy of the same to the Complainant in the same way, within three weeks from the date of receipt of this order via email.

Fix 22/09/2020 for further hearing and orders.

Sd/-  
(HAR GOBIND SINGH)  
Member

West Bengal Housing Industry Regulatory Authority

Sd/-  
(SANDIPAN MUKHERJEE)  
Chairman

West Bengal Housing Industry Regulatory Authority

certified to be true copy.

*Soma De*

SOMA DE, WBLR  
Special Law Officer  
Housing Industry Regulatory Authority  
West Bengal