

ORDER SHEET


WEST BENGAL HOUSING INDUSTRY REGULATORY AUTHORITY

Complaint No. COM-000090

Sourabh Roy.....Complainant

AND

Greentech IT City Pvt. Ltd.....Respondent

Sl. Number and date of order	Order and signature of Officer	Note of action Taken on order
<p style="text-align: center;">5</p> <p>-----</p> <p>10-01-2020</p> <p>Dictated & corrected by me</p> 	<p>Complainant is present filing hazira.</p> <p>Ld. Advocate Ipshita Mukherjee appeared on behalf of the Respondent.</p> <p>No written response has been submitted by the Respondent though complaint petition alongwith notice has been served.</p> <p>Heard both the parties in detail.</p> <p>The case of the complainant is that he booked a 2 BHK flat bearing unit No.A-3-T-12 of 553 sq ft of super built up area under “ Eco Homes Project” of the Respondent on 2nd November, 2015 and he has made a payment of Rs.380427/- to the Respondent till date towards the unit. The respondent provisionally allotted the said flat to the complainant by their letter dated 01.12.2015.</p> <p>Let copy of the confirmation of booking be taken on record.</p> <p>Respondent duly acknowledged the payments made by the Complainant by issuing money receipts to the Complainant. The Complainant submitted the copy of the money receipts at the time of hearing. The Complainant paid Rs.25875/- vide money receipt no.MR-GCEH/00493/15-16 dated 03/11/2015, Rs.59092/- vide money receipt no.MR-GCEH/00533/15-16 dated 16/11/2015, Rs.59092/- vide money receipt no.MR-GCEH/01216/15-16 dated 15/01/2016, Rs.59092/- vide money receipt no.MR-GCEH/01313/15-16 dated 30/01/2016</p>	

and Rs.59092/- vide money receipt no.MR-GCEH/01606/15-16 dated 15/02/2016.

Complainant filed receipts of the payment made to the Respondent and other supporting documents which are taken on record.

The Complainant submitted that after 37 months from the date of booking no work has been started in the project and the project is inordinately delayed. The Respondent failed to give delivery of possession of the flat to the Complainant as per general terms and conditions. The Complainant prayed for refund of money paid by him to the Respondent in this regard.

After examining all the records and evidences and submission of the parties, this Authority finds that the Respondent made default in the matter of delivery of possession of the flat booked by the Complainant within the time period as per general terms and conditions and it is therefore,

Ordered,

that Respondent shall refund entire amount of Rs. 3,80,427/- within 45 days from the date of receipt of this order along with interest at the rate of 8% per annum as per sale agreement from the date of deposit of the amount to the Respondent Company till its final refund to the Complainant.

It is needless to mention that Complaint is at liberty to file prayer for execution of the order in the event if Respondent not complied the order of this Authority within specified time.

Complaint petition is thus disposed off.

Communicate the copy of order to both the parties.


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

Dictated
& corrected
by me

