

**ORDER SHEET**

**WEST BENGAL HOUSING INDUSTRY REGULATORY AUTHORITY**

**Complaint No. COM-000158**

**Bikash Kumar Bathwal.....Complainant**

**AND**

**Emami Realty Ltd.....Respondent**

Sl. Number and date of order	Order and signature of Officer	Note of action taken on order
5 ----- 22-09-2020	<p>Ld. Advocate of the Complainant Smt. Saheli Sen is present and sent her hazira through email.</p> <p>Ld Advocate representing of the Respondent Smt Binata Roy and Smt Vedika Surekha are present in the online hearing and sent their authorization and hazira through email.</p> <p>Both the Complainant and Respondent submitted affidavit as per order of this Authority dated 08/09/2020. Let the affidavit submitted by both the Complainant and Respondent be taken on record.</p> <p>Ld. Advocate of the Complainant submitted that no compliance has been made of the order passed by this Authority dated 25/02/2020 till date.</p> <p>Ld. Advocate of the Respondent submitted that they have filed an appeal in the Housing Industry Appellate Tribunal, West Bengal challenging the order dated 25/02/2020 and therefore, they prayed for some time to bring suitable order in the appeal matter from West Bengal Housing Industry Appellate Tribunal, West Bengal.</p>	

Heard both the parties in detail.

Considering the fact that no stay order has been passed by West Bengal Housing Industry Appellate Tribunal till date in this matter, therefore, the order dated 25/02/2020 stands as it is and has the full force of law. Therefore, the Authority has no other option but to follow the process of law as per the provisions of WBHIRA Act and Rules to execute the order dated 25/02/2020.

Respondent is directed to comply the order dated 25/02/2020 immediately within 04/10/2020. If they fail to comply the same, then Director of Emami Realty Limited has to appear personally on online hearing of this matter to be held on 05/10/2020 before this Authority to explain why the order dated 25.02.2020 has not been complied by the Respondent and why penal action should not be taken against the Respondent for violation of the said order of this Authority.

Fix 05/10/2020 for further hearing and order of this matter.

Sd/-  
(HAR GOBIND SINGH)  
Member

West Bengal Housing Industry Regulatory Authority

Sd/-  
(TAPAS MUKHOADHYAY)  
Member

West Bengal Housing Industry Regulatory Authority

*certified to be true copy.*

*Soma de.*

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