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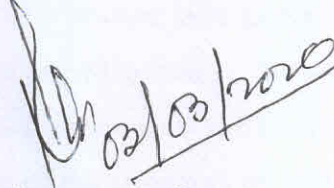
The Ld. Advocate of the Respondent submitted that the present complaint petition is not maintainable before this Authority as an appeal has already been preferred before the West Bengal Housing Industry Appellate Tribunal bearing no. HIAT/APPEAL-001/2020 between Rajesh Kumar Gupta & Anr. – Vs- M/s N.B. Highrise Private Limited, challenging the final order dt. 21.11.2019 of the Designated Authority in complaint case no. COM-000064, which is pending before the Hon'ble Appellate Tribunal.

Also she alleged that Shri Sayan Biswas has made this complaint petition in individual capacity, whereas earlier matter was against M/s N.B. Highrise Private Limited and Others. Therefore, Shri Sayan Biswas does not have the necessary *locus standi* to file this complaint petition in his individual capacity. Respondent also submitted copy of the orders passed by Hon'ble Appellate Tribunal in the said appeal matter on 03/02/2020 and 17/02/2020.

The Respondent is directed to serve a copy of the written response submitted before the Authority to the complainant within one week from today and file a service return on the next date of hearing.

Complainant is at liberty to file a reply / re-joinder to the written response of the Respondent, serving a copy to the Respondent, before admission hearing by Designated Authority on the next date.

Fix **08.04.2020** for further hearing and orders.


(Kausik Kumar Pal)
Secretary,
Housing Industry Regulatory Authority,
West Bengal.