

ORDER SHEET

WEST BENGAL HOUSING INDUSTRY REGULATORY AUTHORITY

Complaint No. COM-000318

Anil Agarwal.....Complainant

AND

Riverbank Developers Pvt. Ltd.....Respondent

Sl. Number and date of order	Order and signature of Officer	Note of action Taken on order
1 ----- 14-08-2020	<p>Ld Advocate representing the Complainant is present in the online hearing and filed hazira and vakalatnama through email today.</p> <p>Ld Advocate representing the Respondent is also present and filed hazira and authorization through email .</p> <p>Heard the Complainant in length.</p> <p>The case of the complainant is that he booked two apartments bearing number 5B3 on the 5th Floor of Tower 4 and apartment number 7B6 on the 7th Floor of Tower 16 in the project named 'Hiland Greens Phase II' of the Respondent Company. The two apartments are valued Rs. 35,65,000/- each . The allotment letters are dated 8th December,2014 . As per clause 11(a) of the General terms and conditions, possession of the said flat was required to be delivered within 42 months from the date of execution of the allotment letter. But till date the Respondent failed to deliver the possession of the two</p>	

apartments. The Complainant has made a total payment of approximate Rs.70,54,034/- till date to the Respondent in this regard.

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 of Rs.70,54,034/- made by him along with interest and compensation.

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 which are available with him 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 08.10.2020 for further hearing and order in this matter.

Sd/-
(HAR GOBIND SINGH)
Member
West Bengal Housing Industry Regulatory Authority

Sd/-
(SANDIPAN MUKHERJEE)
Chairperson
West Bengal Housing Industry Regulatory Authority

Certified to be true copy.

Soma De

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