

ORDER SHEET

WEST BENGAL HOUSING INDUSTRY REGULATORY AUTHORITY

Complaint No. COM-000358

Satish Madhogaria.....Complainant

AND

Riverbank Developers Private Ltd.....Respondent

Sl. Number and date of order	Order and signature of Officer	Note of action Taken on order
1 ----- 15-09-2020	<p>The Complainant is present in the online hearing and has sent his Hazira through email. Learned Advocate Prithwish Ray Chowdhury, representing the Respondent, is also present in the hearing and sent his hazira and authorization through email.</p> <p>Heard both the parties in length.</p> <p>The case of the Complainant is that he booked a flat in Hiland Greens, Tower-19, bearing Flat no. 11A1 at Mahestala. As per general terms and conditions the Respondent was bound to give possession of flat within 42 months from the date of allotment of flat i.e. by 14th August, 2017. The Respondent issued one demand letter dated 20.01.2020 asking to pay the Complainant final demand amount with stamp registration charges and other charges. As per the Complainant, the Respondent fails to give the compensation charges for delay in giving possession of flat in such demand letter is in violation of the terms and conditions of the agreement for sale. The Complainant claims the relief of compensation for delay in delivering of flat as per the terms and conditions of the agreement for sale and immediate possession of flat.</p> <p>The Learned Advocate of the Respondent submitted that the compensation</p>	

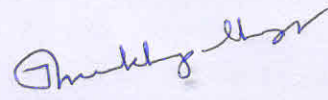
amount has been set off by the interest amount to be paid by the Complainant due to delay in making payments.

After hearing the Complainant, this Authority is satisfied to proceed for further hearing in terms of Rule 36(2) 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, 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 24.11.2020 for further hearing and order of this matter.


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


(TAPAS MUKHOPADHYAY)
Member
West Bengal Housing Industry Regulatory Authority