

ORDER SHEET

WEST BENGAL HOUSING INDUSTRY REGULATORY AUTHORITY

Complaint No. COM-000058

Sanjib Sarkar.....Complainant

AND

Evania Infrastructure Pvt. Ltd..Respondent

Sl. Number and date of order	Order and signature of Officer	Note of action taken on order
5 ----- 04.03.2021	<p>Complainant is present in the online hearing filing hazira through email to the Authority.</p> <p>Respondent is absent despite due service of notice. Let the service return be kept on record.</p> <p>Heard the Complainant at length.</p> <p>The Complainant requested the Authority at the time of hearing to take necessary measures for recovery of the refund amount from the Respondent at the earliest.</p> <p>After hearing both the parties and after taking into consideration the above mentioned facts and circumstances regarding this matter, the Authority is of the considered view that the Respondent is deliberately and intentionally violating the orders passed by this Authority in this execution proceeding. Several opportunities have been given to the Respondent to make the refund as per the final order of this Authority in this complaint matter dated 06.11.2019 and he was also given the opportunity to make the refund through certain installments but the Respondent did not pay any</p>	

heed to the opportunities given by this Authority and he is making mockery of justice by not making any refund.

Therefore, the Authority is pleased to send this matter to the District Collector, North 24 Pgs. to recover the amount of refund as per the final order of this Authority dated 06.11.2019 by initiating a certificate case under the Bengal Public Demand Recovery Act, 1930 (Bengal 3/1913) and take necessary steps to recover the refund amount as certificate dues as arrears of land revenue as per the provisions of Section 40 of the West Bengal Housing Industries Regulation Act, 2017, (WBHIRA Act, 2017) and Rule 27 of the West Bengal Housing Industries Regulation Rules, 2018 (WBHIRA Rules, 2018), and send the compliance report to this Authority within 3 months from the date of receipt of this order.

The Secretary, WBHIRA is directed to send the final order of this Authority dated 06.11.2019 along with certified copies of necessary documents and records of this case to the District Collector, North-24-Pgs., requesting him to initiate a certificate case under the Bengal Public Demand Recovery Act, 1913 as per this order of the Authority.

Complainant is at liberty to pursue with this matter in the office of the District Collector, North 24 Pgs. to get refund of the amount as per the final order of the Authority dated 06.11.2019. He is also directed to send a copy of this order and also a copy of the final order dated 06.11.2019 to all the addresses of the Respondent and also on the email addresses of the

Respondent.


Fix this execution case in the list of cases in the month of August, 2021,
for report and compliance.



(SANDIPAN MUKHERJEE)

Chairperson

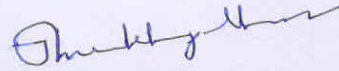
West Bengal Housing Industry Regulatory Authority



(HAR GOVIND SINGH)

Member

West Bengal Housing Industry
Regulatory Authority



(TAPAS MUKHOPADHYAY)

Member

West Bengal Housing Industry
Regulatory Authority