

ORDER SHEET

WEST BENGAL HOUSING INDUSTRY REGULATORY AUTHORITY

Complaint No. COM-000424

Supriyo Ghosh DastidarComplainant

AND

Soumita Construction Pvt. Ltd.....Respondent

Sl. Number and date of order	Order and signature of Officer	Note of action taken on order
1 ----- 10.03.2021	<p>Complainant is present in the online hearing filing hazira through email.</p> <p>Shri Pinaki Biswas, authorized representative of the Respondent, is also present in the online hearing filing hazira and authorization through email.</p> <p>Heard both the parties at length.</p> <p>The case of the Complainant is that he booked a flat bearing No. 2C on 2nd floor, Tower -3 having an area of approximately 895 sq. ft. in Phase -I of the project named 'The County' of the Respondent. The agreement for sale was executed on 23.05.2014. The total cost of the flat was Rs.26,66,191/- of which the Complainant has paid an amount of Rs.21,52,117/- . The Respondent failed to deliver possession of the flat within the time agreed between the parties as per the agreement for sale, that is, within 03.10.2017. Due to such breach of the covenants on the part of the Respondent, the Complainant is not willing to continue with the purchasing of the flat and prays for entire refund amount of the earnest money paid by him along with interest as per law.</p> <p>After hearing the Complainant, the Authority is of the view that there exists prima-facie sufficient grounds to admit this matter and proceed for further hearing as per Rule 36(2) of WBHIRA Rules 2018, and the Authority to hereby pleased to admit this matter and direct the Complainant to submit</p>	

on a Notarized Affidavit his total submission regarding the complaint petition, annexing therewith a signed copy of the Complaint Petition and other supporting documents viz. Photocopy of Allotment Letter, Agreement for Sale, Copy of Money Receipts and other documents and Correspondences with the Respondent.

The Complainant is directed to send the original copy of the affidavit to the Authority by speed post or by hand delivery and through e-mail a scan copy, within three weeks from the date of receipt of this order by e-mail, after serving a copy of the Affidavit to the Respondent by speed post and also by e-mail.

Respondent is directed to submit their Written Response to the complaint petition on a notarized affidavit, annexing therewith supporting documents, if any, and send the affidavit to this Authority by speed post or by hand delivery and also by e-mail, within three weeks from the date of receipt of the affidavit of the Complainant, after serving a copy of the affidavit to the Complainant

Fix 18/5/21 for further hearing and order.

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(SANDIPAN MUKHERJEE)

Chairperson

West Bengal Housing Industry Regulatory Authority

Har Govind Singh
(HAR GOVIND SINGH)

Member

West Bengal Housing Industry
Regulatory Authority

Tapas Mukhopadhyay
(TAPAS MUKHOPADHYAY)

Member

West Bengal Housing Industry
Regulatory Authority