

**ORDER SHEET**

**WEST BENGAL HOUSING INDUSTRY REGULATORY AUTHORITY**

**Complaint No. COM-000172 of 2019**

**Haldia( Dipan Roy).....Complainant**

**AND**

**Mohan Dandapat & Champa Rani Gayen.....Respondent**

Sl. Number and date of order	Order and signature of Officer	Note of action Taken on order
1 ----- 12-12-2019	<p>Complainant is present.</p> <p>Heard the Complainant in detail.</p> <p>Examined the complaint petition and prayers made therein.</p> <p>This is admitted by the Complainant that possession of the flat has been delivered by Respondent prior to commencement of WBHIRA Act, 2017. The present complaint is related to certain deficiencies of agreement with the parties related to services. However, as the case is not maintainable under WBHIRA Act, 2017 in the present form, the Complainant is at liberty to approach appropriate forum having jurisdiction.</p> <p>This is also stated by the Complainant at the time of hearing that there are 8 numbers of flat owners in the project, out of which one flat is owned by the Respondent promoter and the Complainant purchased one of the flat out of seven flats. This being the position, the provisions of section 3 of the WBHIRA Act, 2017 are also not applicable in the instant project and therefore, after considering the matter on record and facts of the case, this Authority decided to dismiss the complaint petition in terms of Rule 36(2)(D)</p>	

Dictated  
& corrected  
by me



of the WBHIRA Rule, 2018.

The complaint petition is thus disposed off.

Communicate the order to both the parties.

Dictated  
& corrected  
by me



12.12.2018

(ONKAR SINGH MEENA)  
Designated Authority,  
Housing Industry Regulatory Authority,  
West Bengal.