

ORDER SHEET

WEST BENGAL HOUSING INDUSTRY REGULATORY AUTHORITY

Complaint No. COM-000284


Sirshanka Maiti.....Complainant

AND

Evanie Infrastructure Pvt Ltd.....Respondent

Sl. Number and date of order	Order and signature of Officer	Note of action Taken on order
1 ----- 05-03-2020	<p>Complainant is present filing hazira.</p> <p>Ld. Advocate of the Respondent Shri Gourav Banerji, is present filing vakalatnama.</p> <p>2. This is submitted on behalf of the Respondent that they have received the complaint petition which is unsigned and sought time for submission of written response on service of signed complaint petition along with supported documents.</p> <p>3. Heard the parties.</p> <p>4. This is the case of the Complainant that he booked a 2 BHK flat having a total covered area of 535.63 sq ft approximately on the 2nd floor south west side of the housing complex known as “Evanie Econest” of the Respondent Company with total consideration value of Rs.16,72,983/-. Till date he has paid Rs.4,62,547/- to the Respondent in this regard. An Agreement for sale was executed between the Complainant and Respondent on 16/06/2018. It is claimed by the Complainant that progress of the project is not according to the assurance and the timeline as agreed between the parties and recorded in the sale agreement. Complainant prays order for refund of entire deposit along with admissible interest in terms of provisions of WBHIRA Act, 2017.</p> <p>The Complainant submitted necessary documents in support of his case at the time of hearing today. Let the documents be taken on record.</p>	

Dictated & corrected by me



6. Complainant also submitted an amendment petition for correction of the amount paid by him in the complaint petition. Let the amendment petition submitted by the Complainant today be taken on record. Amount as per payment receipt evidences will be taken as admissible principal amount of refund, of allowed and this, this amendment is not taken into consideration at this stage.

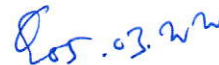
7. Complainant will serve the Respondent a signed complaint petition, copy of the amendment petition filed today and supported documents on proper receipt within three days from today so as to enable the Respondent to submit written response.

8. This Authority is satisfied to proceed further in terms of Rule 36(2) of WBHIRA Rules, 2018 and accordingly issue notices to the Respondent to submit written response on affidavit within two weeks from the date of receipt of this order serving a copy to the Complainant.

9. Both the parties present at the time of hearing today have been duly informed about the next date of hearing on 20/03/2020. The notice for hearing shall be communicated by email as well as by post. If the notice by post is not received on time, it shall not be the ground for adjournment of hearing. Considering that both the parties are present at the time of hearing today, it shall be deemed that the parties are well aware about their responsibilities to participate in hearing on next date.

Fix this matter for further hearing and order on 20/03/2020.

Dictated
& corrected
by me



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