

ORDER SHEET

WEST BENGAL HOUSING INDUSTRY REGULATORY AUTHORITY

Complaint No. COM-000109 of 2019


Bikramjit Mukherjee.....Complainant

AND

Ambey Mata Projects LLP.....Respondent

Sl. Number and date of order	Order and signature of Officer	Note of action Taken on order
2 ----- 24-09-2019	<p>Both parties are present.</p> <p>Respondent submitted written objection to the complaint petition which is kept on record.</p> <p>In the written objection it has been argued that vacant and peaceful possession of the property has been concluded to the satisfaction of the Complainant prior to commencement of WBHIRA Act, 2017.</p> <p>Heard the Complainant.</p> <p>Complainant has argued that possession has been received for the super built area of 72 square feet, which on measurement is found to be 33 square feet carpet area and that is less than 50% of the super built up area. According to Complainant the super built up area has been deducted by 34% for common area and facilities and the same should have been provided in carpet area. Accordingly, he claims 48 square feet carpet area of the shop.</p> <p>Assumptions of the Complainant are not supported by any provisions in sale agreement and calculations as regards compensation for short fall of the carpet area delivered to the Complainant are not at all supported by any obligations of the sale agreement signed between both the parties. Complainant could not provide any evidence, though accorded opportunity, which can</p>	

Dictated & corrected by me



establish any contraventions of the WBHIRA Act, 2017.

This Authority after hearing both the parties and considering the material on record, found that complaint petition is not maintainable under WBHIRA Act, 2017 as no contravention of provision of Act could be established. The complaint petition is dismissed.

Complaint petition is thus disposed off.

Dictated
& corrected
by me



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