

ORDER SHEET

WEST BENGAL HOUSING INDUSTRY REGULATORY AUTHORITY

Complaint No. COM-000468

Arun Kumar Priadarshi.....Complainant

AND

MKHS Housing LLP.....Respondent

Sl. Number and date of order	Order and signature of Officer	Note of action taken on order
1 ----- 07.04.2021	<p>Complainant is present in the online hearing filing hazira through email.</p> <p>Smt. Khaitan, authorized representative of the Respondent, is also present in the online hearing. She is directed to submit her hazira and authorization through email to the Authority immediately by today.</p> <p>Heard both the parties in detail.</p> <p>The case of the Complainant is that he booked a Flat, bearing No. -13B, in Tower-V in the project named 'Rainforest' of the Respondent on 28th August, 2014. Till date he has paid a sum of Rs,7,89,063/- to the Respondent in this regard. He requested the Authority to take necessary steps for refund of his hard earned money of Rs.7,89,063/- paid by him along with interest as per the provisions of the WBHIRA Act, 2017, since it is not possible for the Respondent to handover the possession of the flat even by the</p>	

extended timeline of December, 2020,

After hearing the Complainant, the Authority is of the view that there exists prima-facie sufficient ground to admit this matter and proceed for further hearing as per Rule 36(2) of WBHIRA Rules, 2018, and the Complainant is hereby directed to submit on a Notarized Affidavit his total submission regarding this 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 Correspondences with the Respondent.

The Complainant is directed to send original copy of the affidavit to the Authority by speed post or by hand delivery and e-mail a scan copy within 3 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 a scan copy, within 3 weeks from the date of receipt of the affidavit of the Complainant, after serving a copy of his affidavit to the Complainant by speed post and also by e-mail.

Respondent is further directed to submit above mentioned affidavit the following:-

1. Whether he has taken WBHIRA registration for the instant project namely the 'Rainforest' or not. if yes, then submit the NPR No/s of

the HIRA registration application and state whether payment has been made for registration of the project. If not, then show cause why HIRA registration has not been taken by the Respondent although they have advertised and took booking money for the said project.

2. No. of the cases at present against the project 'Rainforest' before HIRA, specifying the Complaint No. and stating whether refund has been made in any of the cases.

Fix 04.08.2021 for further hearing and order.



(SANDIPAN MUKHERJEE)

Chairperson

West Bengal Housing Industry Regulatory Authority

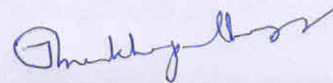


(HAR GOVIND SINGH)

Member

West Bengal Housing Industry

Regulatory Authority



(TAPAS MUKHOPADHYAY)

Member

West Bengal Housing Industry

Regulatory Authority