

ORDER SHEET

WEST BENGAL HOUSING INDUSTRY REGULATORY AUTHORITY

Complaint No. COM-000458

Mohuya Sinha (Dey).....Complainant

AND

Riverbank Developers Pvt. Ltd Respondent

| Sl. Number and date of order | Order and signature of Officer | Note of action taken on order |
|------------------------------|---|-------------------------------|
| 1 ----- 01.04.2021 | <p>Complainant is present in the online hearing filing hazira.</p> <p>Ld. Advocate Prithwish Roy Chowdhury, representing 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 Apartment No. 13A6, Tower No. 17 in January 2014, in a project of the Respondent.</p> <p>The Complainant paid the total consideration amount of the flat to the Respondent. But the Respondent failed to deliver possession by September, 2017 as agreed between the parties in the Agreement for</p> | |

Sale.

The Complainant prays for the relief of refund of the total amount paid by him alongwith interest as per law.

After hearing both the parties, the Authority is of the view that there exist 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 is hereby pleased to admit this matter and direct the Complainant to submit 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 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, within 3 weeks from the date of receipt of the affidavit of

the Complainant, after serving a copy of the affidavit to the Complainant by speed post and also by e-mail.

In the meanwhile the parties are at liberty to make mutual discussion to arrive at a amicable settlement. If they come to a amicable settlement then they can file a Joint Settlement Agreement on notarized affidavit, signed by both the parties, to the Authority, before the next date of hearing.

Fix 06/07/2021 for further hearing and order.



(SANDIPAN MUKHERJEE)

Chairperson

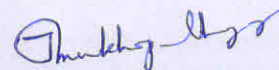
West Bengal Housing Industry Regulatory Authority



(HAR GOBIND SINGH)

Member

West Bengal Housing Industry Regulatory Authority



(TAPAS MUKHOPADHYAY)

Member

West Bengal Housing Industry Regulatory Authority