

ORDER SHEET


**WEST BENGAL HOUSING INDUSTRY REGULATORY AUTHORITY**

Complaint No. COM-000011 of 2018

Moniruddin Mondal.....Complainant

AND

Shri . Tapas Kumar Bhagat....Respondent

Sl. Number and date of order	Order and signature of Officer	Note of action Taken on order
8 <i>of. 09.18</i>  Dictated & corrected by me 	<p>An online complaint was received as per Section 31 of the West Bengal Housing Industry Regulation Act, 2017 vide <b>Complaint No. COM-000011</b> dated <b>21/09/2018</b> at the W B Housing Industry Regulatory Authority from Complainant <b>Mr. Moniruddin Mandal of Chakalamath, College Para, Rampurhat, Birbhum-731224</b> against <b>Mr. Tapash Kumar Bhagat, 119/2B, Harish Mukherjee Road, Post-Kalighat, Kolkata-700 026</b> and as per Rule 36 of the West Bengal Housing Industry Regulation Rules, 2018 an enquiry was initiated for the alleged contravention and the Respondent and the Complainant were directed to appear before the Authority.</p> <p>Accordingly, after hearing both sides the matter was disposed of by the Authority vide Order <b>Dtd. 29.05.2019</b> (henceforth said order) directing the Respondent shall provide immediate possession of the flat to the Complainant as per the measurement submitted by the aforesaid enquiry committee, i.e., 664.86 sq. ft. (covered area) and register the said flat within 30 days from the date of communication of the order. The Respondent shall also pay an interest @ 18% per annum of the amount paid by the Complainant from 17.02.2015, i.e., due date of possession of flat to 30.06.2018 before the date of commencement of West Bengal Housing Industry Regulation Act, 2017 and from 01/06/2018 the interest rate for delay in providing possession shall be as per State Bank of India Prime Lending rate plus 2% of the amount paid by the Complainant till actual possession of the flat as per Rule 18 of West Bengal Housing Industry Regulation Act, 2018 within 45 days from the date of communication of the order.</p> <p>Further, it has been reported that in spite of proper communication of the aforesaid order of the Authority which has been received by the Respondent on <b>10.07.2019</b>, the said order of the Authority has not been complied with.</p>	<i>Dispatched on 17.9.19</i>

Therefore, the Respondent is hereby directed to show cause within 7 days from the date of receipt of this order why necessary steps shall not be taken against the Respondent as per Rule 28 of the West Bengal Housing Industry Regulation Rules, 2018 read with Section 40 (2) of the West Bengal Housing Industry Regulation Act, 2017 for execution of the said order dated **29.05.2019**.

The Complainant shall have the liberty to take necessary steps for execution of the said order dated **29.05.2019** to the appropriate civil court as per Rule 28 of the West Bengal Housing Industry Regulation Rules, 2018

Let the copy of the order be communicated to both the parties

Dictated  
& corrected  
by me



  
Designated Authority,  
Housing Industry Regulatory Authority