

ORDER SHEET

WEST BENGAL HOUSING INDUSTRY REGULATORY AUTHORITY

Complaint No. COM-000037 of 2019

Animesh Misra.....Complainant

AND

Arnab Roy..Respondent

Sl. Number and date of order	Order and signature of Officer	Note of action Taken on order
5 ----- 31-05-2019	<p>An online complaint was received as per Section 31 of the West Bengal Housing Industry Regulation Act,2017 vide complaint No. COM-000037 dated 11/02/2019 to the WB Housing Industry Regulation Authority from Complainant Animesh Misra of 2nd Floor, Sarada Apartment, Sarada pally, near Jyangra Milan Mandir, Land Mark – Opp. Dr. P.K. Hazra House, Baguihati, Kolkata – 700059 and both the Complainant and the Respondent were called for hearing at the Office of WBHIRA on 7/3/19.</p> <p>On 7/3/19, the Applicant appeared but the Respondent did not appear in spite of notice being properly served.</p> <p>The Complainant stated in his complaint that the Complainant had booked a flat on 30/08/2017 and paid an amount of Rs.2,57,600/- including GST in the project name "ECONEST". The Complainant has stated in his complaint that the Respondent has told that the project is approved by Axis Bank and will also get necessary approval from other National Bank within one month. The Complainant thereafter, followed up with the Respondent for showing proper documents regarding the Bank approval of the said project but the Respondent failed to show such documents. Thereafter, the Complainant decided to cancel the booking and made several communications by way of phone, mail and finally made written application</p>	

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on 01/12/2018 in this regard. The Respondent provided two post dated cheques to the tune of Rs.1,15,000/- each, totalling into Rs.2,30,000/- and told rest of the amount Rs.27,600/- is of GST amount will be provided immediately after the disbursement of Rs.2,30,000/-. But the said cheques were bounced.

The Complainant sought relief of refund of the money paid to the tune of Rs.2,57,600/- and Rs.520/- for the bounced cheques and interest since August 2017 and compensation.


The Authority heard the complainant and directed the Complainant to e-mail the entire documents relating to the complaint to this Authority copying the same to the Respondent so that the same may be taken into consideration during the next date of hearing. Next date of hearing is fixed on 19/03/2019.

On 19/3/19, the complainant appeared but the respondent failed to appear as it appears from the delivery report of the India Post that the Notice has yet not been delivered. The next date of hearing was fixed on 9/4/19.

On 9/4/19, The Complainant appeared but the Respondent did not appear.

It is observed from the complaint dated 11/02/2019 filed by the Complainant that Arnab Roy has been made Respondent. However, the booking amount of the flat has been received by Evanie Infrastructure Pvt. Ltd for the project Evanie Econest. It is fact that complaint has made against Arnab Roy and as such the document submitted by the Complainant are not related to the Respondent, Arnab Roy, but the amount has been received by Evanie Infrastructure Pvt. Ltd.

The next hearing was fixed on 3/5/2019.



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On 3/5/19, no hearing was held. Accordingly, the next hearing is scheduled on 22/05/2019.

On 22/05/2019, none of the Complainant or Respondent appeared. Accordingly, next date of hearing was fixed on 31/05/2019.

On 31/05/2019, none of the parties were present.

The next date of hearing will be fixed in due course.


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Designated Authority,
Housing Industry Regulatory Authority
West Bengal