

ORDER SHEET

WEST BENGAL HOUSING INDUSTRY REGULATORY AUTHORITY

Complaint No. COM-000039 of 2019

JISHU NATH.....Complainant

AND

ARNAB ROYRespondent

Sl. Number and date of order	Order and signature of Officer	Note of action Taken on order
6 ----- 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-000039 dated 12/02/2019 at the WB Housing Industry Regulatory Authority from Complainant Jishu Nath of Eden City Complex, Tower C2, Flat 102, Maheshtala, BBT Road, Kolkata, Taratala, Pin-700137 against Arnab Roy, of 86, Golaghata, VIP Road, 1st Floor, Ganga Apartment, Kolkata- 700048 and as per Rule 36 of the West Bengal Housing Industry Regulation Rules, 2018, NOTICE was issued for the alleged contravention and the Respondent as well as the Complainant were directed appear for hearing at the Office of the WB Housing Industry Regulatory Authority, Calcutta Greens Commercial Complex (1st Floor), 1050/2, Survey Park, Kolkata-700 075 along with relevant documents, if any on 07/03/19.</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 pay an amount of Rs.4,50,000/- including GST in the project name "ECONEST" and was told by the Respondent that the project is pre-approved by Axis Bank and will also get necessary approval from other Nationalised Bank within one month. The Complainant has also stated that the Complainant is continuously following up with the Respondent for documents regarding Bank</p>	

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approval but the Respondent has failed to show any such documents. Accordingly, the Complainant decided to cancel the booking and made several communication through telephone and e-mail and finally made application on 15/11/2018 with the Respondent has provided through post dated cheques to the tune of Rs.1,33,928/- each and told that the rest amount of Rs.48,260/- for GST will be provided immediately after the amount is disbursed. The Complainant also stated that two above mentioned among the three cheques were already bounced.

The Complainant in his complaint has sought relief of refund of money paid of Rs.4,50,000/- and bounce cheque charges of Rs.520/- along with interest since August, 2017 and compensation.

The Authority heard the complaint 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.

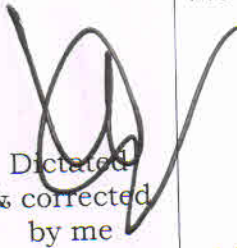
On 19/3/19, the complainant appeared but the respondent failed to appear as it appears from the delivery report of the India Post that the Notice has yet not been delivered. The next date of hearing was fixed on 9/4/19.

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

It is observed from the complaint dated 12/02/2019 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.

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



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On 22/05/2019, Neither the Complainant nor the Respondent appeared for hearing. Accordingly, the next date of hearing was fixed on 31/05/2019.

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

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

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Designated Authority,
Housing Industry Regulatory Authority