

ORDER SHEET


WEST BENGAL HOUSING INDUSTRY REGULATORY AUTHORITY

Complaint No. COM-000141 of 2019

Mallika Chandak.....Complainant

AND

MKHS Realty LLP.....Respondent

Sl. Number and date of order	Order and signature of Officer	Note of action Taken on order
1 ----- 06-11-2019 Dictated & corrected by me 	<p>Complainant is present. Respondent is not present though notice has been duly served as confirmed by postal slips.</p> <p>Heard the Complainant in detail. The Complainant filed copy of sale agreement signed on 14/03/2015 between the Complainant and Respondent Company wherein sale of flat measuring 1416 square ft. built up area in the project "Pyramid" was agreed on payment of total consideration amount of Rs. 40,88,983/- out of which the amount of Rs.23,42,364/- has been paid by the Complainant to the Respondent in terms of clause 8.2 of the sale agreement where the payment schedule is agreed upon as per progress of the construction.</p> <p>The Complainant claimed the construction of the building is at 4th floor casting stage in this G+10 storied building. The photographic evidence of the construction of the building filed by the Complainant along with the copy of sale agreement is taken on record. It is claimed by the Complainant that there is no response from the Respondent Company regarding progress of the work and time line of possession and the Complainant has therefore, prayed for direction invoking the provisions of section 18 of the WBHIRA Act, 2017</p>	u

and sought refund of entire fund along with admissible rate of interest in compensation.

Examined the documents and facts of the case.

Prima facie, there are adequate grounds to proceed for inquiry for contraventions of section 18(1) of WBHIRA Act, 2017 in the present complaint petition.

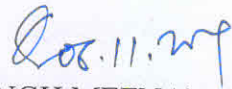
Let Respondent file written response on Affidavit within two weeks from date of receipt of this order and show cause as to why the directions for refund along with admissible interest penalty are not to be issued invoking the provisions of Section 18(1) of WBHIRA Act, 2017. Further it is noticed from the photographic evidence filed during the hearing that this is an ongoing project and provisions of section 3 of WBHIRA Act are applicable as regards mandatory registration of the project.

Therefore, this is hereby

Ordered

that Secretary WBHIRA Authority shall cause a physical verification of the project by Engineers of Building Plan Sanctioning Authority and file a report before next date of hearing.

Fixed on 18/12/2019 for filing of affidavit and hearing.



(ONKAR SINGH MEENA)
Designated Authority,
Housing Industry Regulatory Authority,
West Bengal.

Dictated
& corrected
by me

