

ORDER SHEET


WEST BENGAL HOUSING INDUSTRY REGULATORY AUTHORITY

Complaint No. COM-000171 of 2019

Anup Ghosh.....Complainant

AND

Dharitri Infraventure Pvt. Ltd.....Respondent

Sl. Number and date of order	Order and signature of Officer	Note of action Taken on order
2 ----- 19-12-2019 Dictated & corrected by me 	<p>Complainant is present filing hazira.</p> <p>Respondent is absent despite due service of notice as per postal slips.</p> <p>Let the service return be kept on record.</p> <p>Heard the Complainant in detail.</p> <p>The case of the Complainant is that he booked a flat in Royal Enclave Project of the Respondent at Rajarhat on 14/07/2018 and the Respondent has allotted a flat of 750 sq ft in tower 2, third floor, flat -B vide their allotment letter dated 14/07/2018.</p> <p>Let copy of the allotment letter be taken on record.</p> <p>The Complainant paid booking money Rs.2,00,000/- vide money receipt no.E-2990 dt. 14/07/2018, Rs.65,000/- vide money receipt no.E-3336 dated 15/09/2018, Rs.65,000/- vide money receipt no. E-3337 dated 15/09/2018 and Rs.30,000/- vide money receipt no.E-3338 dated 15/09/2018. The Complainant paid total Rs.3,60,000/- as the consideration amount of the flat to the Respondent till date as per the money receipts duly issued by the</p>	

Dictated
& corrected
by me



Respondent and submitted by the Complainant before this Authority.

Let the copy of the money receipts be taken on record.

The Complainant prayed for refund of the money from the Respondent with admissible rate of interest as the Respondent failed to deliver possession of the flat by December, 2019 as per General terms and conditions.

On examination of the documents and the evidences on record and the submission of the Complainant, the Authority is satisfied that the Respondent has failed to deliver the possession of the flat allotted to the Complainant even after payment of Rs. 3,60,000/- as consideration amount by the Complainant. The Respondent was under the obligation to deliver the possession by December, 2019. Therefore, the Respondent made a default in his obligation.

This Authority is satisfied that the Respondent is negligent and defaulted in the matter of delivery of possession of the flat allotted to the Complainant within the time period as per General Terms and Conditions.

Therefore, it is hereby

Ordered,

that the Respondent shall refund Rs.3,60,000/- along with interest at the rate of SBI PLR rate plus two percent per annum from the date of payment by the Complainant to the date of refund by the Respondent within 45 days from the date of receipt of this order by bank transfer to the account of the Complainant.

Complainant shall supply his account details along with copy of this order to the Respondent within seven days from the date of receipt of this order.

Let copy of this order be served to both parties for compliance.

With the above directions the matter is thus disposed off.



(ONKAR SINGH MEENA)

Designated Authority,

Housing Industry Regulatory Authority,
West Bengal.