

ORDER SHEET


WEST BENGAL HOUSING INDUSTRY REGULATORY AUTHORITY

Complaint No: COM-000047 of 2019

PARTHA SARATHI SARComplainant

AND

CHITRAHILL REALTY Respondent

Sl. Number and date of order	Order and signature of Officer	Note of action Taken on order
<p style="text-align: center;">1 ----- 04-09-2019</p> <p>Dictated & Corrected by me</p> 	<p>An online complaint was received as per Section 31 of the West Bengal Housing Industry Regulation Act, 2017 vide Complaint No. COM -000047 dtd. 24 .03.2019 at the West Bengal Housing Industry Regulatory Authority from Complainant Partha Sarathi Sar of 1C-1407, Avidipta Near Medica Hospital , Kolkata, Purba Jadavpur, Kolkata-700099 against the Respondent CHITRAHILL REALTY, Next to Hyatt Regency , Between Gate No. 1 & 2, Salt Lake Stadium , Salt Lake City, Kolkata-700099 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 Dtd. 29.05.2019 (henceforth said order)directing the Respondent to refund the entire amount paid by the Complainant with an interest @18% per annum from the date of payment made till 01.06.2018, i.e. the date of commencement of the West Bengal Housing Industry Regulation Act, 2017 as per Clause 11.1(breach of purchaser covenants) of the agreement dated 24.03.2014 executed between both the parties , as there is no clause for breach of the developers' covenants in the said agreement and after 01.06.2018, the Respondent shall pay an interest on the entire amount paid the Complainant @ State Bank of India Prime Lending Rate plus 2% per annum as per Rule 18 of the West Bengal Housing Industry Regulation Rules, 2018 till the date of payment made by the Respondent .</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 28.06.2019, the said order of the Authority has not been complied with .</p>	

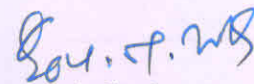
Therefore, the Respondent is hereby directed to show cause within 7 days from the date of receipt of this order why necessary steps shall not be taken against the Respondent as per Rule 28 of the West Bengal Housing Industry Regulation Rules,2018 read with Section 40 (2) of the West Bengal Housing Industry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

Dictated &
Corrected by
me



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



Designated Authority ,

Housing Industry Regulatory Authority