

ORDER SHEET

WEST BENGAL HOUSING INDUSTRY REGULATORY AUTHORITY

Complaint No. COM-000347 of 2020

Shubhankar Chakraborty.....Complainant

AND

Mounthill Realty (MKHS HOUSING LLP).....Respondent

Sl. Number and date of order	Order and signature of Officer	Note of action Taken on order
1 ----- 10-09-2020	<p>Complainant is present in the online hearing and has sent his hazira through e-mail.</p> <p>Smt Dipa Sikaria claiming to be the wife of Hemont Sikaria director of Mounthill Realty (MKHS HOUSING LLP) is also present in the online hearing but no authorization or hazira has been filed from her end. Therefore, her presence can not be taken into account as a valid representation of the Respondent.</p> <p>Heard the Complainant on length.</p> <p>The case of the Complainant is that he booked a flat bearing no.6-2/D measuring 1592 square ft. in the Rainforest Project in October, 2014 which is developed by Respondent. The Respondent had committed that the project will get completed by 2019. The Complainant till date made total payment of Rs.28,64,819/- to the Respondent in this respect. The agreement for sale was executed on 31/01/2017 . As per the agreement Developer was bound to</p>	

deliver the flat by December, 2019 but he failed to deliver the possession of the flat till date. The Complainant prays for relief of refund of total money paid by him along with admissible interest as per law.

After hearing the Complainant the Authority is prima facie of the opinion that there is violation of the WBHIRA Act and Rules by the Respondent and there are ground to admit the case and make further hearing as per Rule 36(2) of WBHIRA Rules, 2018.

Complainant is directed to submit on notarised affidavit the submission made by him today at the time of hearing and annex necessary related documents and a signed copy of complaint petition and other necessary related documents (self attested photo copy) and sent it through speed post and also by e-mail to this end and serving a copy to the Respondent within one week from the date of receipt of this order by email.

Respondent is also directed to send the written response to the complaint petition on notarize affidavit by speed post and also by e-mail to this end, serving a copy to the Complainant within three weeks from the date of receipt of this order by email..

Fix the matter on 05/12/2020 for further hearing and orders.


(HAR GOBIND SINGH)
Member
West Bengal Housing Industry Regulatory Authority


(TAPAS MUKHOPADHYAY)
Member
West Bengal Housing Industry Regulatory Authority