

ORDER SHEET

WEST BENGAL HOUSING INDUSTRY REGULATORY AUTHORITY

Complaint No. COM-000026 of 2019

Skaikh Maksud.....Complainant

AND

Riya Primarc Greens LLP.Respondent

Sl. Number and date of order	Order and signature of Officer	Note of action Taken on order
1 ----- 24-05-2019	<p>An online complaint was received as per Section-31 of the West Bengal Housing Industry Regulation Act, 2017, vide Complaint No.-COM-000026, dated 01.01.2019 to this Authority from the Complainant Skaikh Maksud of 84, Marrium Mohal, Sadar Bazar, Barrackpore, Kolkata-20. Accordingly, as per rule 36 of West Bengal Housing Industry Regulation Rule,2018, a notice was issued to the Respondent with a dirfection to appear for hearing on 22.01.2019 at 12.00 noon at the office of the West Bengal Housing Industries Regulatory Authority.</p> <p>In the complaint, the Complainant has stated that he had booked a flat in OXFORD SQUARE at Barasat and the Respondent had charged for 990 sq.ft for the said flat but carpet area provided was 563.831 sq.ft.(approx.) and when the Complainant asked the reason for charging excess 426.169 sq.ft. of areas, the Respondent was unable to explain the same. The Complainant further stated in his complaint that the sale agreement is not valid and one way only.</p> <p>On 22.01.2019, the representative of the Respondent appeared with letter of authorization but the Complainant was absent. During the hearing the Respondent submitted his reply and stated that the Project is ongoing and duly registered under West Bengal Housing Industry Regulation Act,2017. Since the Complainant is absent, the another date was fixed on 05.02.2019 for further hearing.</p> <p>On 05.02.2019, both the parties appeared. During the hearing, the Respondent submitted that since the project is registered under West Bengal Housing Industries Regulation Act-2017, the Respondent is ready to prepare and register the agreement for sale as per Annexure-A of the West Bengal Housing Industry Regulation Rules, 2018 if the Complainant agrees. In response, the Complainant expresses his desire to continue with the sale agreement with the Respondent as per the format provided in Annexure – A under West Bengal Housing Industry Regulation Rules,2018. The Complainant has submitted a declaration in this regard to this authority.</p>	

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The next date of hearing was fixed on 16/5/19.

On 16/5/2019, the Respondent filed hazira but the Complainant was found absent.

The next date of hearing was fixed on 24/5/19.

On 24/5/2019, the Complainant and the Respondent appeared and filed hazira. The Complainant stated that he would execute the Agreement for Sale as per Annexure 'A' of the WBHIR Rules 2018. The Respondent also agreed with the matter.

I have gone through the complaint, documents and submissions made by the parties to the present complaint. It is fact that the Complainant is ready to execute the agreement for sale as per the Annexure-'A' of the West Bengal Housing Industry Regulation Rules,2018 and the Respondent also agreed execution of such agreement for sale.

Therefore, the present complaint is hereby disposed of by directing the Respondent to execute the agreement for sale as per Annexure-'A' of the West BENGAL Housing Industry Regulation Rules,2018 within 30 days from the date of receipt of the order and the Complainant shall facilitate in execution of such agreement for sale.

Let the copy of the order be communicated to both the parties.



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Designated Authority,
Housing Industry Regulatory Authority