

During the hearing, the Respondent sought time to file reply. Accordingly, the next date of hearing was fixed on 16/5/2019.

On 16/5/19, both the parties appeared and the Respondent duly filed his reply.

The Respondent in his reply has submitted that the Respondent is ready to hand over the said booked Flat to the Complainant and if the Complainant wants refund of the money paid by the Complainant, the Respondent shall refund the said money in 7 (seven) installments as the Respondent is passing through extreme financial hardship. Accordingly the next date of hearing was fixed on 29.05.2019.

On 29/05/19, the Complainant appeared but the Respondent failed to appear in spite of proper notice. During the hearing the Complainant submitted that he wants refund of the money paid to the Respondent along with interest as per the prevailing laws.


I have gone through the complaint, documents submitted by both the parties and the submission made by both the parties during the hearing.

It is fact that the complaint has paid an amount of Rs. 9,25,000/- to the Respondent and the project has not been completed yet. It is also a fact that the Respondent is ready to handover the said booked Flat to the Complainant or refund the amount paid by the Complainant in 7 (seven) equal installments but the Complainant during the hearing submitted that the complaint wants refund of the amount paid along with interest.

Therefore, it is hereby ordered that the Respondent shall refund the entire amount to the Complainant along with interest @ State Bank of India Prime Lending Rate plus 2% per annum as per rule 18 of the West Bengal Housing Industry Regulation Rules, 2018, from the date of payment made by the Complainant till the date of refund. Such refund of the entire amount along with the interest shall be made by the Respondent within a period of 45 days from the date of communication of this order.

The matter is hereby disposed of.

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


Dictated
& corrected
by me


Designated Authority,

Housing Industry Regulatory Authority