

ORDER SHEET

WEST BENGAL HOUSING INDUSTRY REGULATORY AUTHORITY

Complaint No. COM-000056 of 2019

SIDDHARTH KILLA.....Complainant

AND

IDEAL UNIQUE REALTORS PRIVATE LIMITED.....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-000056 dated 13/04/2019 at the WB Housing Industry Regulatory Authority from Complainant Siddharth Killa of 138/2, M.G.Road ; 2nd floor ; Kolkata – 700007 and as per Rule 36 of the West Bengal Housing Industry Regulation Rules, 2018, NOTICE was issued for the alleged contravention and the Respondent as well as the Complainant were directed appear for hearing at the Office of the WB Housing Industry Regulatory Authority on 7/5/19.</p> <p>On 7/5/2019, both the parties appeared and filed their attendance.</p> <p>The Complainant in his complaint has stated that the Complainant received notice of possession dated 18.03.2019 and received on 26.03.2019 from the Respondent i.e. Ideal Unique Realtors Pvt. Ltd. but on physical verification the Complainant found that there are lot of pending works which are yet not completed and may take reasonable time for completion of the same. The following are the work which yet to be completed by the Respondent:</p> <ol style="list-style-type: none">1. Room Balcony Door & Frame - not fitted2. Half Window Grills - not done3. Skirting - pending at various places4. Electrical (Switches & Wiring) - not done5. Plaster of Paris (POP work) - pending at various places6. Toilet plaster - not done7. Toilet tiles (as discussed) - not done8. Toilet fittings - not done	

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9. Kitchen Slab - not done

10. Kitchen Utility door & frame - not done

11. Room Balcony flooring - not done

The Complainant further stated in his complaint that when the Flat is not completed how can the Respondent raise INVOICE and ask for payment as per the old GST rate at 12% when the prevailing GST rate is 5%.

The Complainant in his complaint has sought relief for an order upon the Respondent to complete the work and raise the INVOIC as per current GST rate of 5%.

During the hearing the complaint stated that when the flat was incomplete how the Respondent has issued the notice of possession on dated 18.03.2019 and raise payment and charged 12% GST rate.

The Respondent during the hearing submitted that since Completion Certificate has been raised for the project before the new GST rate is not applicable for the flat of the Complainant and the Respondent sought time to file reply to the present complaint.

Accordingly, the Respondent is directed to submit reply within 10 days from the date of this order and forward a copy of the same to the Complainant. The Complainant is directed to submit his counter reply within 7 days from receiving the reply, if any, and the next date of hearing was fixed on 24/05/2019.

On 24/05/2019, the Complainant appeared and filed hazira but the Respondent is absent inspite of proper notice. During the hearing the Complainant submitted a written statement that he would like to withdraw his complaint as the matter has been resolved with the Respondent amicably.

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

It is fact that the matter has been resolved between the parties amicably and the Complainant has submitted a written statement to that effect.

Therefore, it is hereby ordered that since the present matter has already been resolved between the parties the present complaint is disposed of without any direction upon the parties.

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

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Designated Authority,

Housing Industry Regulatory Authority