## ORDER SHEET

## WEST BENGAL HOUSING INDUSTRY REGULATORY AUTHORITY

	Complaint No	Complaint No. COM-000145 of 2019		
Pa	awan Kumar Sharma	Complainant		
	AND			
	MHKS Realty LLP	Respondent		

Sl. Number	Order and signature of Officer	Note o
and date of order		action
oraci		Taken
1	4	on orde
06-11-2019		
	Complainant is present. Respondent is not present though notice has	
	been duly served as confirmed by postal slips.	
	Heard the Complainant in detail.	
	The Complainant filed copy of sale agreement signed on 15/05/2015	
	between the Complainant and Respondent Company wherein the sale of flat	
	measuring 1416 square ft. built up area in the project "Pyramid" on payment	
	of consideration amount of Rs.52,91,592/- as per the payment schedule stated	
	in the sale agreement was 1	
	Complainant paid Rs.35,22,665/- in terms of clause 8.2 of the sale agreement	
	where the payment schedule is agreed upon as per progress of the	
	construction. The Complainant claimed the construction of the building is at	
	4 <sup>th</sup> floor casting stage in this G+10 storied building.	
Dictated		
& corrected by me	The photographic evidence of the construction of the building filed by the	
Ø	Complainant along with the copy of sale agreement is taken on record.	
	It is claimed by the Complainant that there is no response from the	
	Respondent Company regarding progress of the work and time line of	
	possession and the Complainant has therefore, prayed for direction invoking	

the provisions of section 18 of the WBHIRA Act, 2017 and sought refund of entire fund along with admissible rate of interest in compensation.

Prima facie there are adequate grounds to proceed for inquiry for contraventions of section 18(1) of WBHIRA Act, 2017 in the present complaint petition.

Dictated & corrected by me

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Let Respondent file written response on affidavit within two weeks from date of receipt of this order and show cause as to why the directions for refund along with admissible interest penalty are not to be issued invoking the provisions of section 18(1) of WBHIRA Act, 2017. Further, it is noticed from the photographic evidence filed during the hearing that this is an ongoing project and provisions of section 3 of WBHIRA Act is applicable as regards mandatory registration of the project.

This is hereby

## Ordered

that Secretary WBHIRA Authority shall cause a physical verification of the project by Engineers of Building Plan Sanctioning Authority and file a report before next date of hearing.

Fixed 18/12/2019 for filing of affidavit and hearing.

(ONKAR SINGH MEENA)
Designated Authority,
Housing Industry Regulatory Authority,
West Bengal.

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