

ORDER SHEET

WEST BENGAL HOUSING INDUSTRY REGULATORY AUTHORITY

Complaint No. COM-000114

Raja Deb.....Complainant

AND

M/s Shivmahima Developers Pvt. Ltd.....Respondent

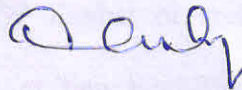
Sl. Number and date of order	Order and signature of Officer	Note of action taken on order
10 ----- 27.04.2021	<p>Ld. Advocate Shri Anil Kanti Roy, representing the Complainant, is present in the online hearing filing hazira through email.</p> <p>Ld. Advocate Shri Rudrajit Sarkar, representing the Respondent, is also present in the online hearing filing hazira through email.</p> <p>Heard both the parties at length.</p> <p>In the previous hearing, the Authority was pleased to pass an order directing the Respondent to submit Written Response to the complaint petition in notarized affidavit and to submit a refund schedule. The Respondent was also advised to start the refund.</p> <p>The Respondent, however, did not submit any refund schedule and raised certain objections to the complaint. He submitted that the unit was allotted to two persons and not to Shri Raja Deb alone and hence, it was not clear as to whom the refund is to be made, he further submitted that the delay in giving possession of the unit to the allottee was due to the fact that the plan</p>	

of the building had to be changed at the request of the allottee, and also for obtaining sanction of the modified plan from the Competent Authority.

The representative of the Complainant submitted that he has not received any copy of the affidavit from the Respondent and they prayed for immediate refund.

Having heard both the parties, the Authority was pleased to direct the Respondent to submit a copy of their affidavit to the Complainant, within 2 days from the date of receipt of this order. The Complainant is directed to submit their rejoinder to the affidavit of the Respondent, within 2 weeks from the date of receipt of the same, by speed post and also through email, to the Authority as well as to the Complainant.

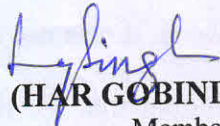
Fix 14.07.2021 for further hearing and order.



(SANDIPAN MUKHERJEE)

Chairperson

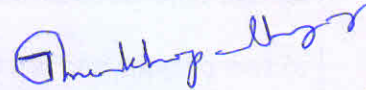
West Bengal Housing Industry Regulatory Authority



(HAR GOBIND SINGH)

Member

West Bengal Housing Industry Regulatory Authority



(TAPAS MUKHOPADHYAY)

Member

West Bengal Housing Industry Regulatory Authority