ORDER SHEET

WEST BENGAL HOUSING INDUSTRY REGULATORY AUTHORITY

Complaint No. COM-000012 of 2019

Mr. Somenath Patra.....Complainant

AND

Bhaskar Mukherjee......Respondent

and date of	Order and signature of Officer	Note of
and date of		action
order		Taken
		on orde
11		
20-01-2020	Complainant is present filing hazira	8
	Respondent is also present filing hazira.	.77
	Heard the parties.	
	Respondent admitted that Complainant is entitled to refund of Rs.7.25	
	lakhs as the possession of the flat could not be delivered and he is not in	
	position to make over the possession for the reasons beyond his control.	
	Respondent while admitting that list of items belonging to complainant as	
	stated to be lying in the flat is correct except item no.2 (three seater sofa) and	
	item no.5 (Godrej Steel Almirah) as claimed by the Complainant during last	
	day of hearing and recorded in the proceedings of the Authority order dated	
	20/12/2019.	
Dictated	Respondent offered to allow the Complainant to collect all the items from	
& corrected by me	the said property on 03/02/2020 on proper verification and receipts.	
R	Heard the parties in details.	*
	After hearing the parties and considering the facts of the case this	
	authority considered this appropriate to issue the following final orders on the	

complaint petition:-

Ordered,

Dictated & corrected by me



that Respondent shall return back the furniture items, on proper receipt as admitted and physically found lying in the property as listed in the order sheet on 03/02/2020. Both the parties will physically verify the flat and take sincere steps to locate two other items namely three seater sofa and Godrej steel Almirah and trace these items also. On the prayer of respondent, this is made clear that both Complainant and respondent shall only remain present on 3rd February 2020 as agreed by consent today and complete the process of handing over the belongings of complainant on proper receipts.

Let it be clarified that such physical verification of the flat will be conducted by both parties without involving any other outsider and in the event of any further dispute of issues the decision arrived at between the parties shall be final and this issue is treated as settled.

The amount of Rs.7.25 lakhs as outstanding to be refunded to the Complainant shall be refunded by June, 2020 in instalments by bank transfer in the account of Complainant along with simple rate of interest at the rate of 8% per annum calculated on Rs.7.25 lakhs from today till its final refund within June, 2020 shall be paid by the respondent to the Complainant.

This order is passed with the consent of parties.

Thus the complaint petition is disposed off.

Communicate this order to both the parties.

(ONKAR SINGH MEENA)
Designated Authority,

Housing Industry Regulatory Authority, West Bengal.