

**ORDER SHEET**


**WEST BENGAL HOUSING INDUSTRY REGULATORY AUTHORITY**

**Complaint No. COM-000104 of 2019**

**Siddhartha Mukherjee.....Complainant**

**AND**

**Aristo Infra Developers LLP.....Respondent**

Sl. Number and date of order	Order and signature of Officer	Note of action Taken on order
<p style="text-align: center;">5 ----- 20-01-2020</p> <p>Dictated &amp; corrected by me</p> 	<p>Complaint Case COM No.000104 and COM no.000105 are taken together.</p> <p>Complainant is present and filing hazira.</p> <p>Ld. Advocate of the Complainant is also present.</p> <p>Respondent is represented by Ld. Advocate Ms. Swarnali Chanda filing hazira.</p> <p>Complainant is permitted to submit affidavit substituting the name of successor as Complainant in COM No.000105 as per oral prayers made by Ld. Advocate on behalf of the Complainant informing death of complainant.</p> <p>No written affidavit has been filed by respondent company as directed by this authority in Authority order no.4 dated 12/12/2019, despite receipt of such orders getting adequate time on re-scheduling of date of hearing from on 7<sup>th</sup> January 2020 to 20/01/2020 on the written request of respondent company. There is no explanation came forward as to why no affidavit has been filed, though allowed by the Authority.</p> <p>This Authority is of the view that respondent did not file written response on affidavit without any explanatory reasons and such acts are liable to attract costs.</p> <p>A prayer on plain paper filed on behalf of respondents by Ld. Advocate Ms. Swarnali Chanda seeking time for submission of the affidavit is considered</p>	

and allowed on the condition that respondent shall pay a cost of Rs 10000/- to complainant by cheque, which this Authority is compelled to impose for non-submission of such affidavit within time allowed in Authority order dated 12/12/2019.

Let this cost be paid on 29/01/2020.

This matter will be heard on merits on the complaint petition and written response on affidavit, if any, filed by the Respondent on next date of hearing. In the event of non-submission of written response on affidavit, Authority will record evidence and pass orders on complaint petition along with amended petition as already served to the respondent. It is clarified that issues raised in the complaint petition have not gone through at this stage in absence of no response of respondent filed before this Authority and all the issues raised therein are open for contest by the parties.

To 04/02/2020 for hearing on submission of affidavit by respondent and orders.



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

Dictated  
& corrected  
by me

