

ORDER SHEET

WEST BENGAL HOUSING INDUSTRY REGULATORY AUTHORITY

Complaint No. COM-000399

Rohit Agarwal.....Complainant

AND

Ideal Real Estates Pvt. Ltd. Respondent

Sl. Number and date of order	Order and signature of Officer	Note of action taken on order
1 ----- 07.01.2021	<p>The Complainant along with his brother, Shri Mainish Agarwal is present in the online hearing filing hazira through email.</p> <p>Authorized representative of the Respondent, Shri Anuj Tulsyan is present in the online hearing filing hazira through email to this Authority.</p> <p>Heard both the parties at length.</p> <p>The case of the Complainant is that he booked a 3BHK apartment from the Respondent in Block Barbet, Apartment No. 13B in 2014 with the promised delivery date of the apartment being December 2016. The Complainant is yet to receive possession of the flat and he has paid 90% of the cost of the apartment few years back.</p> <p>He prayed before the Authority for the relief of refund of the total money paid by him to the Respondent.</p> <p>The Respondent submitted that he has already sent a proposal for refund of the amount paid by the Complainant in some installments specifying the date and amount of refund and sent the email to the Authority as well as to the Complainant yesterday.</p> <p>Complainant submitted that he has received the email and he will</p>	

examine the proposal of the Respondent and he needs sometime for it.


After hearing both the parties, this Authority is pleased to admit this matter for further hearing as per Rule 36(2) of WBHIRA Rules, 2018 as the Authority is of the opinion that there exists sufficient ground prima facie to proceed for further hearing.

The Complainant is directed to send his total submission regarding this complaint petition on a notarized affidavit annexing therewith a signed copy of the complaint petition and self attested photo copies of other supporting documents and send it to the Authority by speed post or by hand delivery and also email a scan copy of the same after serving a copy to the Respondent in the same way, within 4 weeks from the date of receipt of this order by email.

Respondent is directed to submit their Written Response on a notarized affidavit in respect to the complaint petition and send it to the Authority by speed post or by hand delivery and also email a scan copy of the same after serving a copy to the Complainant in the same way, within 4 weeks from the date of receipt of the affidavit of the complainant.

Both the parties are at liberty to mutually discuss and try to arrive at a consensus regarding the matter of payment of the installments and if they arrive at a mutual settlement then they will submit before the Authority by a joint affidavit stating therein the schedule of refund and the payment of the installments, if any, by the Respondent to the Complainant.

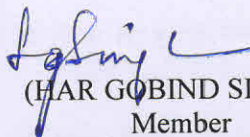
Fix 08.04.2021 for further hearing and orders.



(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