

ORDER SHEET

WEST BENGAL HOUSING INDUSTRY REGULATORY AUTHORITY

Complaint No. COM-000088 of 2020

Subhendu Chakraborty.....Complainant

AND

Riverbank Developers Pvt. Ltd.....Respondent

Sl. Number and date of order	Order and signature of Officer	Note of action Taken on order
5 ----- 13-08-2020	<p>Complainant is present in the online hearing and filed hazira by email.</p> <p>Ld. Advocate of the Respondent is also present in the online hearing and filed hazira.</p> <p>Complainant stated that the final order dated 24.09.2019 of this Authority in this matter has been violated by the Respondent. He has submitted an execution application dated 01.07.2020 before this Authority praying for full execution of the order.</p> <p>Ld Advocate of the Respondent submitted that the total refund was agreed to be made between the parties in 8 equal installments, they have made payment of first four equal installments. They will pay interest as agreed upon for making delay in the payment of third and fourth installments. They will pay the last four installments but they are claiming for waiving of the interest for the delay of last four installments as the delay was caused by the pandemic situation created by COVID-19 which was totally beyond their control.</p>	

Complainant submitted that he is not agreeing to the prayer of the Respondent for waive of interest for late payment made by the Respondent and he wants immediate payment.

Heard both the parties in detail.

Complainant is directed to send a copy of the execution application to the Respondent. He is also directed to send by speed post to this end a Notarized Affidavit containing his submissions made before the Authority today at the time of hearing, within two weeks from receiving the mail containing this order, with a copy to the Respondent and mail a scanned copy of the same to this end.

Respondent is also directed to send a Notarized Affidavit containing their submissions made before the Authority today within two weeks from the date of receipt of the Affidavit of the Complainant, by speed post and by email, with a copy to the Complainant.

Meanwhile the Respondent is directed to make the payments of the refund of the Principal amount immediately, which has become due as per the Order of this Authority dated 24.09.2020, before the next date of hearing .The matter regarding the payment of interest for late payment shall be decided on the next date of hearing after receiving Affidavit from both the parties.

Fix 29/09/2020 for further hearing and orders of this matter.

Sd/-
(HAR GOBIND SINGH)
Member

West Bengal Housing Industry Regulatory Authority

Sd/-
(SANDIPAN MUKHERJEE)
Chairperson

West Bengal Housing Industry Regulatory Authority

certified to be true copy.

Soma De

SOMA DE, WBLs
Special Law Officer
Housing Industry Regulatory Authority
West Bengal