

ORDER SHEET


**WEST BENGAL HOUSING INDUSTRY REGULATORY AUTHORITY**

Complaint No.COM-000214

Bina Basak.....Complainant

AND

Tapas Kumar Saha.....Respondent

Sl. Number and date of order	Order and signature of Officer	Note of action Taken on order
1 ----- 22-01-2020  Dictated & corrected by me 	<p>Complainant is present filing hazira.</p> <p>Respondent is represented by Ld. Advocate Mr. Archan Dutta filing authorization duly signed by Respondent Mr. Tapas Kumar Saha.</p> <p>This is the case of the Complainant that physical possession of delivery of flat BE 66, Swagatam Sarani, Rabindrapally, Krishnapur, Kolkata-700101 is not yet delivered by Respondent, though complainant has paid more than 90% of consideration amount in terms of agreement for sale signed between the parties on 24/01/2016. This is claimed that there are no breaches on the part of complainant and she is entitled to get possession of flat as per sale agreement.</p> <p>Complainant filed copy of money receipts according to which a sum Rs 5.50 lakhshas been paid against total consideration amount of Rs.5.50 lakhs. This is submitted on behalf of the Respondent in written statement filed today that the respondent has applied to Station Manager, Krishnapur Customer Care Center, WBSEDCL. for electric connection which is expected to be completed within 60 days. This is further submitted by Respondent that a balance of amount of Rs.50000/- is due to be paid by the Complainant on possession before execution of deed for the purpose of electric connection</p>	

charges. Respondent is ready to hand over possession within 90 days from today subject to condition that the balance amount of Rs.50000/- is paid by the Complainant before execution of deed in favour of the Complainant.

Heard the parties and examined the facts of the case.

All the issues have been considered and settled now in accordance with admission of facts by the parties.

This is appropriate to direct the Respondent to complete delivery of physical possession of the flat within 90 days from today and also execute deed of said flat during this period.

Complainant is required to make payment of balance amount of Rs.50,000/- as admitted by the parties on completion of physical possession of the flat before execution of the deed.

The parties are further ordered to complete the physical verification of the flat and complete "fit in possession" acceptance by the Complainant signing memo of possession within 30 days from communication of this order as a token of acceptance by both the parties. However, the Complainant can occupy the flat only after the service connection is completed as assured by the Respondent within 90 days from today and Complainant shall be at liberty to occupy the flat on payment of balance due amount to the satisfaction of the parties.

There are no other orders to costs.

The Complainant petition is thus disposed off.

Communicate this to parties.

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

Dictated  
& corrected  
by me

