

ORDER SHEET


WEST BENGAL HOUSING INDUSTRY REGULATORY AUTHORITY

Complaint No.COM-000194

Bishnu Banik.....Complainant

AND

Ravi Prakash Khemka.....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 not present though notice has been delivered as per postal slips.</p> <p>Let the service return be kept on record.</p> <p>One Mr. Abul Kalam Molla appeared on behalf of the Respondent filing hazira and authorization letter from Respondent Mr. Ravi Prakash Khemka.</p> <p>This is submitted on behalf of the Respondent that memorandum of understanding has been signed between the parties wherein Mr. Ravi Prakash Khemka and Mr. Nani Gopal Saha (land owner) agreed to complete registration process of the flat no.3C on 3rd floor at KMC no.247 at Niranjana Pally , Block-A, Anandpally (East) Kolkata-700070within March, 2020 and also claimed to have handed over possession of the flat to Complainant on 21/12/2019.</p> <p>Examined the written documents filed by the Respondent and noticed that the right to occupy the flat has been assured to the Complainant. I am of the considered view that deliver of proper possession of the flat is required under the provisions of the law, which does not seem to have taken place. Deed is also required to be executed on physical possession duly delivered to complainant. It is admitted on behalf of respondent that flat property allotted to complainant is mortgaged to a bank by respondent promoter and steps</p>	

initiated to discharge the property from mortgage. This is also admitted that such charges on the property are not attributed to complainant and there is no liability of complainant as regards mortgage charges on property.

Let Respondent parties conclude the physical possession of flat and also issue draft copy of deed of conveyance to the complainant before next date of hearing so as to satisfy this Authority that the Respondents are proceeding as per memorandum of understanding signed between Complainant and Respondent.

This is interim order, without prejudice to the rights of the parties.

Fix this matter for further hearing and orders on 18/02/2020.



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

Dictated
& corrected
by me

