

ORDER SHEET

WEST BENGAL HOUSING INDUSTRY REGULATORY AUTHORITY

Complaint No. COM-000481

Naresh AgarwalComplainant

Vs

Ideal Real Estates Pvt. Ltd.....Respondent

Sl. Number and date of order	Order and signature of Officer	Note of action taken on order
1 ----- 30.04.2021	<p>Shri Naresh Agarwal, Complainant is present in the online hearing filing hazira through email.</p> <p>Respondent is absent. He has submitted an email communication for absence on medical ground.</p> <p>Heard the Complainant in detail.</p> <p>This is a case that the Complainant had booked one apartment at 'Ideal Real Estates Pvt. Ltd.' in 2013 and agreed upon time of delivery of the flat was 2017 end. As submitted by the Complainant, he had paid about 90% of the total consideration money to the Respondent, within 2017. However, the Respondent failed to hand over the possession of the apartment within the schedule date. In 2021, they have informed the Complainant to take possession of the apartment. The Complainant submitted that many of the</p>	

works and facilities, which were to be provided as per the brochure, e.g. swimming pool, garden etc. are not ready as yet. In view of these facts, the Complainant is not in a position to take possession of the apartment in its present condition. However, the Complainant may take over the possession in case he gets delay compensation from the Respondent.

After hearing the Complainant, the Authority is of the view that there exists prima-facie sufficient grounds to admit this matter and proceed for further hearing as per Rule 36(2) of WBHIRA Rules 2018, and the Authority is hereby pleased to admit this matter and direct the Complainant to submit on a Notarized Affidavit his total submission regarding the complaint petition, annexing therewith a signed copy of the Complaint Petition and other supporting documents viz., Photocopy of Allotment Letter, Agreement for Sale, Copy of Money Receipts and other documents and Correspondences with the Respondent.

This affidavit will be submitted to the Authority, within the period of 3 weeks from the date of receipt of this order, by speed post, and e mail, after serving a copy to the Respondent by speed post and also through email.

Respondent is directed to submit their Written Response to the complaint petition on a notarized affidavit, annexing therewith supporting documents, if any, and send the affidavit to this Authority by speed post or by hand delivery and also by e-mail, within 3 weeks from the date of receipt of the affidavit of the Complainant, after serving a copy of the affidavit to the

Complainant by speed post and also by e-mail.

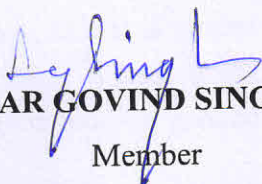
Fix 07.09.2021 for further hearing and order.



(SANDIPAN MUKHERJEE)

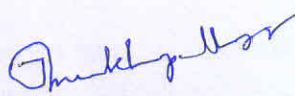
Chairperson

West Bengal Housing Industry Regulatory Authority



(HAR GOVIND SINGH)
Member

West Bengal Housing Industry
Regulatory Authority



(TAPAS MUKHOPADHYAY)
Member

West Bengal Housing Industry
Regulatory Authority