

ORDER SHEET

WEST BENGAL HOUSING INDUSTRY REGULATORY AUTHORITY

Complaint No. COM-000486

Ashutosh Mazumdar,.... Complainant

Vs

Riverbank Developers Private limited.... Respondent

Sl. Number and date of order	Order and signature of Officer	Note of action taken on order
1 ----- 30.04.2021	<p>Shri Ashutosh Mazumdar, Complainant is present in the online hearing filing hazira through email.</p> <p>Ld. Advocate Shri Prithwish Roy Chowdhury, representing the Respondent is also present in the online hearing filing hazira through email.</p> <p>Heard both the parties in detail.</p> <p>The case of the Complainant is that he booked a flat in the project named 'Highland Green.' of the Respondent, in accordance with the agreement between the developers and the Complainant. Developers was required to handover the possession of the flat in December, 2017 or January, 2018. The Complainant has paid Rs.22,63,766/- (Rupees twenty two lakhs sixty three thousand seven hundred sixty six only) as consideration money. The developer has failed to handover the possession of the flat even after about 3 years of the scheduled date of handing over of possession. The Complainant has prayed before this Authority for total refund along with interest.</p> <p>After hearing the Complainant, the Authority is of the view that there exist 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</p>	

Allotment Letter, Agreement for Sale, Copy of Money Receipts and other documents and Correspondences with the Respondent.

The Complainant is also directed to send the original copy of the affidavit to the Authority by speed post or by hand delivery and through e-mail, within 3 weeks from the date of receipt of this order, after serving a copy of the Affidavit to the Respondent by speed post and also by e-mail.

The Respondent submitted that they are ready to refund the money in terms of their agreement and after deducting amounts paid towards service tax and GST etc.

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)

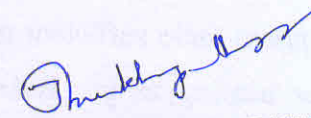
Chairperson

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