

**ORDER SHEET**

**WEST BENGAL HOUSING INDUSTRY REGULATORY AUTHORITY**

Complaint No. COM-000387

Arup Kumar Roy.....Complainant

AND

Usashi Realstates Pvt. Ltd.....Respondent

Sl. Number and date of order	Order and signature of Officer	Note of action taken on order
1 ----- 17.12.2020	<p>Complainant is present in the online hearing filing hazira through email.</p> <p>Ld. Advocate Shri Gaurav Banerji representing the Respondent is present in the online hearing filing vakalatnama and hazira through email.</p> <p>Heard both the parties at length.</p> <p>The case of the Complainant is that he booked a flat in the project named "Prince Town" of the Respondent of total area approximately 819.3 sq ft. on 31/07/2016 with initial booking fee is of Rs.1,50,000/- vide application no.UTP 02024 with the assurance of complete flat handing over at the end of the year 2019. Thereafter, another installment Rs.215355/- was deposited on 09/04/2017 as per general terms and conditions. Till date no progress of construction has taken place and no flat yet been constructed at Usashi "Prince Town" Project. Recently he came to know from the Respondent that due to some acute land problem construction is not possible in the site and he already appealed for refund of money to the Respondent.</p> <p>Complainant prays for relief of refund of full amount paid by him which is Rs.3,65,355/- with interest as per law before the Authority.</p> <p>Ld. Advocate of the Respondent prays for sometime to file the Written Response and also to file Schedule of Refund, if any, and proposal for any</p>	

alternative flat, if any, from the side of the Respondent Company.

After hearing both the parties, Authority is of the view that prima facie there exist sufficient ground to admit the matter and therefore, the Authority hereby admits the matter for further hearing as per Rule 36(2) of WBHIRA Rules, 2018.

Complainant is directed to submit his total submission regarding this complaint petition on a notarized affidavit annexing therewith a signed copy of the complaint petition and self attested photocopies of supporting documents and send it to the Authority by speed post or by hand delivery, within three weeks from the date of receipt of this order by email after serving a copy to the Respondent. He is also directed to send a scan copy of the affidavit by email to the Authority as well as to the Respondent. He is further directed to mention in his affidavit the NPR No. of the project in which he booked a flat in his affidavit.

Respondent is directed to submit written response to the complaint petition on a notarized affidavit annexing therewith authenticated supporting documents, if any, and send it to the Authority by speed post or by hand delivery and also send a scan copy through email within three weeks from the date of receipt of the affidavit of the Complainant after serving a copy of his affidavit to the Complainant in the same way.

Fix 23/02/2021 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