

ORDER SHEET

WEST BENGAL HOUSING INDUSTRY REGULATORY AUTHORITY

Complaint No. COM-000158

Vikash Kumar BathwalComplainant

AND

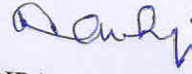
Emami Realty Ltd.....Respondent

Sl. Number and date of order	Order and signature of Officer	Note of action taken on order
1 ----- 17.12.2020	<p>Ld. Advocate Smt. Saheli Sen representing the Complainant is present in the online hearing filing her hazira through email.</p> <p>Ld. Advocate of the Respondent Shri Ajay Gaggar is present in the online hearing filing hazira through email.</p> <p>Heard both the parties at length.</p> <p>Ld. Advocate of the Complainant submitted that the Respondent till date has not delivered the possession of the flat to the Complainant inspite of order of the Hon'ble West Bengal Housing Industry Appellate Tribunal in its order dated 27/11/2020 in HIAT/MISE.APPEAL-003/2020. In the said order of the Hon'ble Tribunal, there is a direction to the Respondent to deliver physical possession of the booked flat strictly in terms of the original agreement within a period of 30 days from 27/11/2020. Complainant submitted that he has fully paid the consideration money and also the maintenance charges till date .</p> <p>Complainant further submitted that the Respondent here in filed a Civil Revision Case in the Hon'ble High Court in Calcutta Vide No.C.O.1573 of 2020. In the said Civil Revision matter Hon'ble Justice Shampa Sarkar disposed of the matter by pronouncing an order which was till not uploaded in the website of Hon'ble High Court.</p>	

The Ld. Advocate of the Respondent submitted that the Civil Revision matter was disposed of yesterday but the order has not been uploaded in the website of the Hon'ble High Court as yet.

After hearing both the parties, Authority is pleased to direct both the parties to submit the internet downloaded copy of the order of the Hon'ble High Court in C.O.1573 of 2020 dated 16/12/2020 and annexing therewith an affidavit containing the present status of this complaint case matter in view of the order of the Housing Industry Appellate Tribunal Misc. Appeal No.003 of 2020 and order of the Hon'ble High Court case no. C.O.1573 of 2020 and send it to the Authority within 5 days from today before this Authority.

Fix 13/01/2021 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