

ORDER SHEET

WEST BENGAL HOUSING INDUSTRY REGULATORY AUTHORITY

Complaint No. COM-000208

Jai Prakash SinhaComplainant

AND

Dharmendra Roy Respondent

Sl. Number and date of order	Order and signature of Officer	Note of action taken on order
4 ----- 10.02.2021	<p>Complainant is present in the online hearing along with his Advocate Shri Sanjay Bhattacharya by filing hazira through email.</p> <p>Respondent is absent despite due service of notice. - Let the service return be kept on record.</p> <p>Heard the Complainant in detail.</p> <p>The Complainant submitted that the Respondent Promoter has violated the Development Agreement entered into between the parties and failed to deliver possession as per the due date as agreed between the parties in the said agreement. Also the Respondent made illegal construction violating the plan sanctioned by the KMC.</p> <p>The Complainant prayed for the relief of immediate delivery of possession along with compensation for delay in delivery of possession. The Complainant also prayed that there is violation of the provision of section 14 of the WBHIRA Act, 2017 so necessary action is required to be taken against the Respondent as per WBHIRA Act and rules made thereunder.</p>	

After hearing the Complainant the Authority is pleased to admit this matter for further hearing as per Rule 36(2) of WBHIRA Rules, 2018, as the Authority is of the opinion that there exists sufficient ground prima facie to proceed for further hearing.

The 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 notary attested photo copies of other supporting documents including the Development Agreement and send it to the Authority by speed post or by hand delivery and also email a scan copy of the same, after serving a copy to the Respondent in the same way, within 4 weeks from the date of receipt of this order by email.

Respondent is directed to submit their Written Response on a notarized affidavit in respect to the complaint petition and send it to the Authority by speed post or by hand delivery and also email a scan copy of the same, after serving a copy to the Complainant in the same way, within 4 weeks from the date of receipt of the affidavit of the complainant.

Respondent is further directed that this is the last chance given to him to submit a written response against the complaint petition and if he fails to submit the same within the stipulated period and fails to appear on the next date of hearing, the matter shall be heard ex-parte on the next date of hearing.

Let copy of this order be served to all the addresses of both the parties by speed post and also by email.

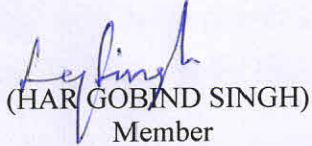
Fix 20.05.2021 for further hearing and order.



(SANDIPAN MUKHERJEE)

Chairperson

West Bengal Housing Industry Regulatory Authority



(HAR GOBIND SINGH)
Member

West Bengal Housing Industry Regulatory Authority



(TAPAS MUKHOPADHYAY)
Member

West Bengal Housing Industry Regulatory Authority