

**ORDER SHEET**

**WEST BENGAL HOUSING INDUSTRY REGULATORY AUTHORITY**

**Complaint No. COM-000366**

**Pankaj Kumar Kejriwal .....Complainant**

**AND**

**Emami Infrastructure Ltd.....Respondent**

Sl. Number and date of order	Order and signature of Officer	Note of action taken on order
2 ----- 28.01.2021	<p>Complainant is present in the online hearing filing hazira.</p> <p>Ld. Advocate Ajoy Gaggar and Ld. Advocate Smt. Vedika Sureka are present in the online hearing on behalf of the Respondent filing Hazira through e-mail.</p> <p>Heard both the parties at length.</p> <p>The Complainant submitted that he has already submitted a notarized affidavit and also affidavit of service as per the order dated, 23.9.2020 of this Authority.</p> <p>Let the notarized affidavit and the affidavit of service be taken on record.</p> <p>The Respondent submitted by e-mail a soft copy of a supplementary affidavit on the grounds of maintainability of the complaint case and also his earlier affidavit dated, 23.12.2020 on this ground. The Respondent has taken some grounds in respect of maintainability of this complaint petition before WBHIRA and he has taken the points that there is already an arbitration</p>	

clause in the agreement for sale so the dispute must be resolved by arbitration as per the arbitration clause of the Agreement.

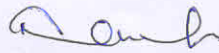
The Respondent is directed to submit their supplementary affidavit on the point of maintainability in original hard copy immediately.

The Complainant submitted that he received the soft copy of the supplementary affidavit of the Respondent on the ground of maintainability.

After hearing both the parties, Complainant is directed to submit his Written Response, if any, on notarized affidavit against the supplementary affidavit of the Respondent and send the notarized affidavit to the Authority as well as <sup>to the</sup> Respondent in both hard copy and soft copy, within two weeks <sup>^</sup> from the date of receipt of this order by e-mail.

The Respondent is at liberty to file rejoinder/reply, if any, against the Written Response of the complainant on the ground of maintainability, within two weeks from the date of receipt of the affidavit of the Complainant, and send it to the Authority as well as to the Complainant by speed post and also by e-mail.

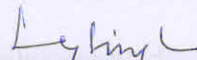
For 25.03.2021 for further hearing and order.



**(SANDIPAN MUKHERJEE)**

Chairperson

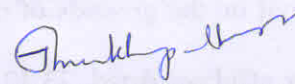
West Bengal Housing Industry Regulatory Authority



**(HAR GOVIND SINGH)**

Member

West Bengal Housing Industry  
Regulatory Authority



**(TAPAS MUKHOPADHYAY)**

Member

West Bengal Housing Industry  
Regulatory Authority