

ORDER SHEET


**WEST BENGAL HOUSING INDUSTRY REGULATORY AUTHORITY**

Complaint No. COM-000152 of 2019

Ahmed Tahir.....Complainant

AND

Realtech Nirman Pvt. Ltd.....Respondent

Sl. Number and date of order	Order and signature of Officer	Note of action Taken on order
3 ----- 07-01-2020  Dictated & corrected by me  	<p>Complainant is present filing hazira.</p> <p>Mr. Sisir Gupta, Director of the Respondent Company is present along with authorised person of the Company.</p> <p>Written declaration on affidavit has been filed on behalf of the Respondent. Copy of the same was served to the Complainant at the time of hearing.</p> <p>In the affidavit it has been offered to hand over possession of the flat within 22/02/2020 and amount of Rs.1,32,000/- on account of delay possession has been committed to be paid to the Complainant.</p> <p>Written submission on behalf of the respondent also gives the details of works to be finished in the flat as stated in para 6 of the declaration.</p> <p>The Complainant is agreed to the proposal as submitted on affidavit and prayed for orders for compensation in lieu of expenses to stay in rental accommodation due to delay in delivery of possession.</p> <p>This is admitted that there is delay of 13 months from the agreed date of possession and further two months will be added, if the possessor is delivered in February, 2020 as assured. This is also fact that complainant is incurring expenses on rental accommodation as well as monthly loan repayment to bank without any default on his part and thereby entitled for interest for delayed period of possession and also the compensation. Respondent admitted this position and agreed to pay compensation as may be decided by the Authority.</p> <p>Heard both the parties.</p>	

After examining the submissions and facts of the case this is hereby

Ordered,

that Respondent shall complete the construction works of the flat and hand over possession within February, 2020 and execute deed of conveyance immediately on completing the possession formalities.

Further Respondent Company shall pay Rs.1,32,000/- on account of delay in possession as offered upon in the declaration within one week from date of receipt of this order.

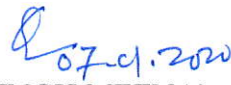
As it is noticed that delay of possession for 13 months has happened in this case which has been duly compensated by payment of Rs.1,32,000/- on account of delay possession as offered by the Respondent.

This Authority after considering of the facts of the case orders that a lump sum compensation of Rs.16,000/- as cost to be paid by the Respondent to the Complainant in addition to Rs.1,32,000/- to be paid as compensation for delay in possession, so as to meet the expenses of house rent for two months beyond 13 months delay as stated earlier.

Both the parties consented to the settlement and accordingly complaint petition is disposed off with the above orders.

Communicate a copy of this order to both the parties.

Complaint petition is thus disposed off.

  
(ONKAR SINGH MEENA)  
Designated Authority,  
Housing Industry Regulatory Authority,  
West Bengal.

Dictated  
& corrected  
by me

