

ORDER SHEET

WEST BENGAL HOUSING INDUSTRY REGULATORY AUTHORITY

Complaint No. COM-000420

Prakash PatwariComplainant

AND

Emami Infrastructure LimitedRespondent

Sl. Number and date of order	Order and signature of Officer	Note of action taken on order
<p style="text-align: center;">1</p> <hr/> <p style="text-align: center;">05.03.2021</p>	<p>Complainant is present in the online hearing filing hazira through email.</p> <p>Ld. Advocate Smt. Vedika Sureka, representing the Respondent, is also present in the online hearing filing hazira and vakalatnama through email.</p> <p>Heard both the parties at length.</p> <p>The case of the Complainant is that he booked a flat on 06.07.2011, bearing flat no. B-2/703 in the 'Emami City' project of the Respondent. As per the agreement for sale the flat was scheduled to be completed within March, 2017, with a grace period of 9 months. Respondent failed to deliver the possession within this period.</p> <p>The Complainant submitted that he is entitled to receive compensation for delay in delivery of possession as per clause 6.6.2 and 6.6.3 of the agreement for sale. The Complainant received possession of the flat in November, 2019.</p>	

He prays for the relief of compensation for delay in delivery of possession as per clauses 6.6.2 and 6.6.3 of the agreement for sale.

After hearing the Complainant, the Authority is of the view that there exists prima facie sufficient ground to admit this matter and proceed for further hearing as per Rule 36(2) of WBHIRA Rules, 2018, and the Complainant is hereby directed to submit on a Notarized Affidavit his total submission regarding this Complaint Petition, annexing therewith a signed copy of the Complaint Petition and other supporting documents for examples :- Photocopy of Allotment Letter, Agreement for Sale, Copy of Money Receipts and other Correspondences with the Respondent.

The Complainant is directed to send original copy of the affidavit to the Authority by speed post or by hand delivery and e-mail a scan copy within 3 weeks from the date of receipt of this order by e-mail after serving a copy of the Affidavit to the Respondent by speed post and also by e-mail.

Respondent is directed to submit their Written Response to the Complaint Petition on a notarized affidavit, annexing therewith supporting documents, if any, and send the affidavit to this Authority by speed post or by hand delivery and also by e-mail a scan copy, within 3 weeks from the date of receipt of the affidavit of the Complainant, after serving a copy of his affidavit to the Complainant by speed post and also by e-mail.

Fix 17/6/21 for further hearing and order.

Sandipan Mukherjee

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(SANDIPAN MUKHERJEE)

Chairperson

West Bengal Housing Industry Regulatory Authority

Har Govind Singh
(HAR GOVIND SINGH)
Member

West Bengal Housing Industry
Regulatory Authority

Tapas Mukhopadhyay
(TAPAS MUKHOPADHYAY)
Member

West Bengal Housing Industry
Regulatory Authority