

ORDER SHEET


WEST BENGAL HOUSING INDUSTRY REGULATORY AUTHORITY

Complaint No. COM-000132 of 2019

Koushik Ghosh.....Complainant

AND

Sanjit Kumar Mohanta.....Respondent

Sl. Number and date of order	Order and signature of Officer	Note of action Taken on order
3 ----- 18-12-2019 Dictated & corrected by me 	<p>Both the parties are present and file hazira.</p> <p>Heard both the parties in detail.</p> <p>This is the case of the Complainant that he together with his mother Smt Kalpana Ghosh purchased a flat bearing no. '4E' measuring an approx. super built -up area of 420 sq ft in the project "Vivekananda Nibas" ,at Hatiara,Dag No.4471 ,P.S-New Town of the Respondent promoter on payment of consideration amount of Rs. 800000/-. An Agreement For Sale was executed between the Complainant and the Respondent promoter on 04.01.2016 in this respect.</p> <p>The Complainant got the possession of the flat as per sale agreement .</p> <p>The Complainant has alleged that the Respondent has defaulted in handing over Completion Certificate, the Occupancy certificate and the Final Invoice including service tax receipt.</p>	

Dictated
& corrected
by me

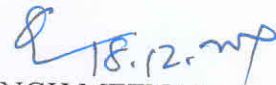


As per order of this Authority dated 08.11.2019, the Complainant could not adduce any evidence to prove that there is contraventions of any of the provisions of the WBHIRA Act, 2017 and Rules made thereunder. Possession as per sale agreement concluded before 01/06/2018

The Respondent submitted Written Response and stated that it is not an ongoing project coming under section 3 of the WBHIRA Act, 2017. Let the Written Response be taken on record.

After careful examination of the documentary evidences on record and submission of the parties, this Authority is satisfied to the effect that the complainant failed to adduce evidence to the effect that there is violation of any of the provisions of the WBHIRA Act, 2017 and Rules made thereunder and there is no scope to proceed further as per Rule 36(2) of the WBHIRA Rules, 2018 and the Complaint petition is therefore dismissed .

Let Copy of this Order be served to both the parties.



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