## ORDER SHEET

## WEST BENGAL HOUSING INDUSTRY REGULATORY AUTHORITY

Sl. Number	Order and signature of Officer	Note of
and date of	Order was esperatured as a second sec	action
order		Taken
order	Y	on order
2		
	75 74 4	
24-09-2019	Both the parties present.	
	Written objection of the Respondent filed today during the hearing be kept on record. The copy of written objection has been handed over to Complainant during course of hearing.	
	It is submitted by Ld Advocate of the Respondent that deed of sale was executed on 25 <sup>th</sup> August, 2017, before enactment of WBHIRA Act,2017 and the Respondent Promoter received the completion certificate issued by LBS of Howrah Municipality. It is further submitted that there is no saleable car parking space/garage as the last garage allotted to one Mr. Mithun Biswas on 02/04/2019, though deed of sale is not yet registered. The Respondent has taken the plea of typographical error in the deed of sale where car parking was mentioned and denies the claims of the Complainant for seeking allotment of car parking.	
	The Complainant in his submissions stated that Respondent deprived him of his legitimate right to avail parking space in terms of deed of sale and according to him actions of Respondent are discriminating.	
	After hearing the parties and considering the provisions of WBHIRA Act, 2017, this Authority finds that the complaint is beyond the purview of the Act as project completion and possession as per the agreement are concluded prior to commencement of this Act. The dispute between both the parties is thus, can't be adjudicate by this Authority and same is disposed off accordingly.	
	However, the Complainant is at liberty to approach appropriate forum having jurisdiction and competent on the issues arising out of agreement between both the parties.	
	Copy of this order be communicated both the parties.	
Dictated & corrected by me	(ONKAR SINGH MEENA) Designated Authority, Housing Industry Regulatory Authority, West Bengal.	