

ORDER SHEET

**WEST BENGAL HOUSING INDUSTRY REGULATORY AUTHORITY**

Complaint No. COM-000128

Saptarna Ray.....Complainant

AND

Hemont Sikaria.....Respondent

Sl. Number and date of order	Order and signature of Officer	Note of action Taken on order
6 ----- 23-09-2020	<p>Complainant is present in the online hearing and sent hazira through email.</p> <p>Learned Advocate Shri Pratip Mukherjee is present in the online hearing and he is representing the Respondent and he has sent his hazira through email.</p> <p>Learned Advocate of the Respondent submitted that there is a Judgment of Hon'ble Supreme Court by which no one can be compelled to personally appear physically in any hearing that is why the Director of the Company Shri Hemont Sikaria is not present in the hearing today.</p> <p>Heard and considered the submission of the Respondent and rejected his plea as the director of the Respondent company was directed to appear in the online hearing and not physically, therefore, the said judgment of the</p>	

Supreme Court is not applicable in the instant case.

Learned Advocate of the Respondent prayed for some time to file affidavit regarding payment of the refund amount as directed in the order dated 18.12.2019 of this Authority.

Considered the prayer of the Advocate of the Respondent and as a last chance a time of 15 days is allowed to the Respondent in this regard.

Therefore, the Respondent is directed to submit on a notarized affidavit the schedule of refund payment as per the order of this Authority dated 18.12.2019 specifying the date and amount of refund and the refund shall be made only by bank transfer to the bank account of the Complainant. The affidavit must be sent by speed post and also by email a scan copy of the same, serving a copy to the Complainant in the same way within 15 days from today.

The Respondent is also directed to make the first installment of refund before 15<sup>th</sup> October, 2020 to the bank account of the Respondent by bank transfer.

The Complainant is directed to send her bank account details by an email to the Respondent within one week from today so that refund can be made by bank transfer to that account.

Fix 15.10.2020 for further hearing and order in this execution mater.

Sd/-  
(HAR GOBIND SINGH)  
Member

West Bengal Housing Industry Regulatory Authority

Sd/-  
(TAPAS MUKHOPADHYAY)  
Member

West Bengal Housing Industry Regulatory Authority

*certified to be true copy.*

*Soma De*

SOMA DE, WBLs  
Special Law Officer  
Housing Industry Regulatory Authority  
West Bengal