

ORDER SHEET


WEST BENGAL HOUSING INDUSTRY REGULATORY AUTHORITY

Complaint No. COM-000111 of 2019

Tapas BanerjeeComplainant

AND

Sukdeb Koley.....Respondent

Sl. Number and date of order	Order and signature of Officer	Note of action Taken on order
4 ----- 16-01-2020 Dictated & corrected by me 	<p>Both the parties are present filing hazira.</p> <p>Heard both the parties in detail.</p> <p>The Respondent filed a written objection against the Affidavit filed by the Complainant on 03.01.2020.</p> <p>Let the Written objection of the Complainant be taken on record.</p> <p>This is the case of the Complainant that he purchased a flat bearing number 102 measuring an area of 686 sq ft from the Respondent Promoter at total consideration price of Rs.12,34,800/-. The flat was duly registered on 19.03.2019 in the office of the District Sub-Registrar at Howrah .The Complainant alleged that the respondent failed to fulfil his obligations in terms of the Sale agreement and the said flat is not in habitable condition till date. He alleged that he got the key of the flat but unable to move to the flat as it is still under construction.</p> <p>The Respondent made a written submission on Affidavit that he will complete the remaining works of the said project before 15th April,2020 if the Complainant provides him the key of the flat for completion of work.</p> <p>The Complainant submitted and prayed before this Authority for refund of his entire money alongwith interest as he does not want to wait any more for completion of work.</p>	

Dictated
& corrected
by me




After examination of all the evidences, submitted documents and submission of the parties, this Authority is satisfied to the effect that the Respondent made default in completion of the works within the time mutually agreed between the parties and the Complainant should not be compelled to wait any more for completion of work against his will. Therefore, it is hereby,

Ordered

that the Respondent shall refund total amount of Rs. 14,21,157/-, paid by the Complainant, by bank transfer to the account of the Complainant, within 45 days from the date of receipt of this Order , with admissible rate of interest, if any, agreed between the parties, from the date of deposit by the Complainant to the date of refund .

Communicate this Order to both parties.

With the above directions the matter is thus disposed of.



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