ORDER SHEET

WEST BENGAL HOUSING INDUSTRY REGULATORY AUTHORITY

Complaint No. COM-000174 of 2019

Vaisakhi Banerjee......Complainant

AND

Realtech Nirman Private Limited......Respondent

Sl. Number	Order and signature of Officer	Note of
and date of		action
order		Taken
1		on orde
04-12-2019	Mr. Polach Papariae hughand of the Complainant and as sharer of the	
	Mr. Polash Banerjee, husband of the Complainant and co-sharer of the	
	property is present and file hazira.	
	Heard the Complainant and examined the documents filed with the	
	complaint petition and documentary evidence filed at the time of hearing.	
	This is the case of the Complainant that a sale agreement was signed	
	between the Complainant and the Respondent and on 18/12/2017 purchase of	
	the flat no. B-1, 4 th floor of the project GHAROA, Phase -II at Rajarhat	
	measuring 502 sq ft covered area on payment of Rs.19,32,700/- excluding	
	GST agreed to be paid in instalments to progress of the construction as	
	described at clause 8.3 on page 7 of the sale agreement. It is noted from	
	clause 9.5 of the sale agreement that the completion of construction shall be	
	completed within 30 months from 01/11/2017 with extended period of six	
Dictated & corrected by me	months at the option of developer that means the possession is agreed to be	
	made within November, 2020 as per the sale agreement.	
Q.	Complainant paid Rs.25,000/- vide receipt no.GH-II, 22 dated 05/09/2017,	
	Rs.1,00,000/- vide receipt no.GH-II, 27 dated 15/12/2017, Rs.2,00,000/- vide	
	receipt no.GH-II, 28 dated 18/12/2017 and Rs.2,00,000/- vide receipt no.GH-	
	II, 29 dated 18/12/2017 to the Respondent Company Realtech Nirman Private	

Limited duly acknowledged by the Company and all their letter head.

The Complainant claimed that there has been no progress of commencement of the project and there is no response from the Respondent Company about the physical progress of the project. The Complainant communicated to the Respondent Company by email, a copy of which is part of the complaint petition, communicating to cancellation and the refund the entire amount after adjusting admissible deduction as per agreement for sale. There has been no response to such email and complaint petition.

Dictated & corrected by me



Let a notice be issued to the Respondent Company to file written response on affidavit within two weeks from date of communication of this order. Meanwhile, nothing prevents the Respondent Company to consider the reque4st made by the Complainant for cancellation of agreement and refund admissible amount.

Fix this matter for further hearing and orders on 10/01/2020.

(ONKAR SINGH MEENA)

Ro4.12.219

Designated Authority,
Housing Industry Regulatory Authority,
West Bengal.