

ORDER SHEET

WEST BENGAL HOUSING INDUSTRY REGULATORY AUTHORITY

Complaint No. COM-000592

Sumit Kumar BharComplainant

AND

Bengal Shapoorji Housing Development Pvt. Ltd. Respondent

Sl. Number and date of order	Order and signature of Officer	Note of action taken on order
1 ----- 08.02.2021	<p>Complainant is present in the online hearing by filing hazira through email.</p> <p>Learned Advocate, Smt. Sanjukta Roy, representing the Respondent, is also present in the online hearing filing hazira and authorization through email.</p> <p>Heard both the parties at length.</p> <p>The case of the Complainant is that he booked a 3BHK flat in the project "Sukhobrishti", Spriha, Phase-6, of the Respondent in September, 2016 and the possession of flat was supposed to be delivered by September, 2019. The Complainant prays for the relief of earliest delivery of possession of the flat, complete in all respect, and compensation for delay in delivery of possession as per law.</p> <p>The Ld. Advocate of the Respondent prays for sometime to file the written response on notarized affidavit against the complaint petition. She</p>	

also stated that as there is no clause for compensation for delay in delivery of possession in the GTC, therefore, no compensation shall be given by the Respondent for delay in delivery of possession.

After hearing the Complainant, this Authority is pleased to admit this matter for further hearing as per Rule 36(2) of WBHIRA Rules, 2018 as the Authority is of the opinion that there exists sufficient ground prima facie to proceed for further hearing.

The Complainant is directed to submit his total submission regarding this complaint petition on a notarized affidavit annexing therewith a signed copy of the complaint petition and notary attested photo copies of other supporting documents and send it to the Authority by speed post or by hand delivery and also through email a scan copy of the same, after serving a copy to the Respondent in the same way, within 3 weeks from the date of receipt of this order by email.

The Complainant is further directed to submit his response to the statement of the Respondent made at the time of hearing that no compensation shall be paid by the Respondent as there is no clause for giving compensation for delay in delivery of possession in the GTC or in the agreement for sale, as the case may be.

Respondent is directed to submit his Written Response on a notarized affidavit in respect to the complaint petition and send it to the Authority by speed post or by hand delivery and also through email a scan copy of the same, after serving a copy to the Complainant in the same way, within 3 weeks from the date of receipt of the affidavit of the complainant.

Respondent is further directed to submit the exact deadline for delivery of possession of the flat to the Complainant in the said notarized affidavit.

Fix 07.05.2021 for further hearing and order.



(SANDIPAN MUKHERJEE)

Chairperson

West Bengal Housing Industry Regulatory Authority



(HAR GOBIND SINGH)

Member

West Bengal Housing Industry Regulatory Authority



(TAPAS MUKHOPADHYAY)

Member

West Bengal Housing Industry Regulatory Authority