

ORDER SHEET

WEST BENGAL HOUSING INDUSTRY REGULATORY AUTHORITY

Complaint No. COM-000092

Subhadip GhoshComplainant

AND

Evanie Infrastructure Private Limited Respondent

Sl. Number and date of order	Order and signature of Officer	Note of action taken on order
8 ----- 11.02.2021	<p>Complainant is present in the online hearing by filing hazira through email.</p> <p>Ld. Advocate Shri Gourav Banerji representing the Respondent is also present in the online hearing.</p> <p>Heard both the parties at length.</p> <p>The Complainant submitted that he has not received any refund from the Respondent after the last order of the Authority and the Respondent submitted that at present it is not possible for the Respondent to make any refund. Ld. Advocate of the Respondent submitted that he has no instruction about when his client will make the refund.</p> <p>After hearing both the parties and after taking into consideration of the fact that the Respondent is deliberately violating successive orders of this Authority in execution proceeding. This Authority is of the considered view to send this matter to the District Collector, North 24 Pgs, as per Rule 27 of the West Bengal Housing Industry Regulation Rules, 2018 read with sub section (1) of section 40 of the West Bengal Housing Industry Regulation Act, 2017, for recovery of the refund amount due as arrears of land revenue as per the provisions and in the manner as provided in the Bengal Public Demand Recovery Act, 1913.</p>	

Therefore, this Authority is hereby pleased to order that to realize the amount of refund as per this Authority's final order dated 25.11.2019 in this matter, this Authority is in exercise of its power conferred under section 40(1) of WBHIRA Act, 2017 read with Rule 27 of WBHIRA Rules, 2018 send this matter to the District Collector, North 24 Pgs. to recover the amount as per order dated 25.11.2019 from the Respondent as certificate dues under the Public Demand Recovery Act (Bengal Act 3/1913) treating the same as arrears of Land Revenue.

Complainant is at liberty to pursue with the office of the District Collector North 24 Pgs. for recovery of the amount to be paid to him in terms of order dated 25.11.2019 passed by this Authority.

The Secretary, WBHIRA shall communicate this order to the District Collector, North 24 Parganas with the request to initiate a certificate case for recovery of the amount as per the order of this Authority dated 25.11.2019 to recover certificate dues and report compliance.

The copy of this Authority's order along with necessary documents shall be sent to the District Collector, North 24 Parganas to execute the order.

This execution case is to be listed in the month of June, 2021 for compliance of orders.



(SANDIPAN MUKHERJEE)

Chairperson

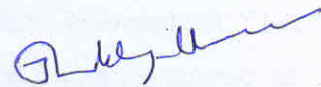
West Bengal Housing Industry Regulatory Authority



(HAR GOBIND SINGH)

Member

West Bengal Housing Industry Regulatory Authority



(TAPAS MUKHOPADHYAY)

Member

West Bengal Housing Industry Regulatory Authority