

ORDER SHEET

WEST BENGAL HOUSING INDUSTRY REGULATORY AUTHORITY

Complaint No. COM-000354

Saikat DasComplainant

AND

DTC Projects Pvt. Ltd.Respondent

Sl. Number and date of order	Order and signature of Officer	Note of action taken on order
<p style="text-align: center;">3 ----- 18.03.2021</p>	<p>Complainant is present in the online hearing filing hazira through email.</p> <p>Authorized representative of the Respondent, Sri Ravi Khaitan, is also present in the online hearing filing hazira and authorization through email.</p> <p>Heard both the parties at length.</p> <p>The Complainant submitted a rejoinder which has been received by the Authority. Let the rejoinder of the Complainant, be taken on record.</p> <p>As per the agreement for sale, the possession of flat was supposed to be delivered by the respondent within 30th May, 2018, with a grace period of six (6) months. Therefore, the Respondent has defaulted in the matter of giving possession with effect from 1st December, 2018. On 17th August, 2020, the Respondent has given the possession letter along with final inspection request to the Complainant. Therefore, this date shall be taken into account as the date for giving possession letter to the Complainant by the Respondent.</p>	

After hearing both the parties, the Authority is satisfied to the point that there is some delay in giving of possession of the unit by the Respondent with respect to the schedule time of delivery of possession as per the agreement for sale and therefore he is liable to pay compensation for delay in delivery in possession to the Complainant as per the provisions of WBHIRA Act, 2017 and Rules made thereunder.

Hence it is ordered, that the Respondent shall pay compensation for delay in delivery of possession at the rate of SBI PLR +@% for the period starting from 1st December, 2018 till the date of 17th August ,2020. The compensation shall be paid by the Respondent by the bank transfer to the bank account of the Complainant, within 45 days from the date of receipt of order by speed post.

The Complainant is directed to provide bank account details to the Respondent in which he will receive the compensation amount, through email, within 3 days from the date of receipt of this order by email.

The South-24-Parganas, Zilla parisad, being the plan sanctioning Authority, is directed to take necessary action as per law in respect to the other allegation made by the Complainant and the Complainant is requested to pursue with this matter with South-24-Parganas Zilla Parisad for getting proper redressal.

With the above direction the matter is thus disposed of.

Copy of this order be served to both the parties by speed post and also by email.

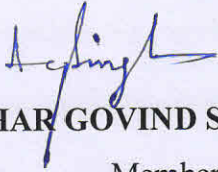
A copy of this order be served to south 24 – parganas, zilla parisad



(SANDIPAN MUKHERJEE)

Chairperson

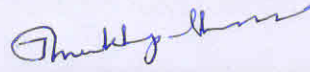
West Bengal Housing Industry Regulatory Authority



(HAR GOVIND SINGH)

Member

West Bengal Housing Industry
Regulatory Authority



(TAPAS MUKHOPADHYAY)

Member

West Bengal Housing Industry
Regulatory Authority