

West Bengal Real Estate Regulatory Authority
Calcutta Greens Commercial Complex (1st Floor)
1050/2, Survey Park, Kolkata- 700 075

Complaint No. COM 000111 (Erstwhile WBHIRA)

Tapas Banerjee Complainant

Vs

Sukdeb Koley Respondent

Sl. Number and date of order	Order and signature of the Authority	Note of action taken on order
<u>Execution 11</u> Normal Hearing 11 27.05.2025	Today is the 11th day of execution hearing of the present case. The original complaint petition by the Complainant was disposed of by the then designated Authority, "HIRA" vide its order dated 16.01.2020 with the direction to refund the total amount paid by the Complainant. The Respondent preferred appeal before the West Bengal Housing Industry Appellate Tribunal vide No. HIAT/Appeal-002/2021 and after a series of hearing, Ld. Tribunal in its order no. 05 dated 04.01.2024 dismissed the Appeal petition filed by the Respondent. Before disposal of the appeal petition by the Ld. Tribunal, Execution proceeding of the instant case was started on 12.09.2023 and ultimately after a series of execution hearing, the Authority was pleased to pass the order, vide order No. (10) Execution 07.02.205, directing the Additional Executive officer, Howrah Zila Parishad to take necessary steps for conducting a physical inspection, preferably by District Engineer, regarding the present position of the remaining construction work. At this stage the Authority is of considered view that as fresh proceedings has started for handing over of the flat as per prayer of the Complainant, the Authority shall, henceforth, consider the matter as normal hearing instead of Execution Hearing and proceed further. Complainant is present in today's hearing physically signing the Attendance Sheet. Respondent is absent in the hearing, despite due service of the hearing notice through email. Heard the Complainant in detail. The Authority has received the inspection report from Additional Executive officer, Howrah Zila Parishad as per order of the Authority dated	

07.02.2025.

As per the said report, no light has been fixed at the common areas of the flat, the lift, though installed is not working due to incomplete work and the supply to the common meter has been disconnected by the WBSEDCL Office.

The Respondent stated that some light has been fixed, the lift has been installed but electricity connection with the lift is not done due to non-occupancy of the flat by the residents and the supply to the common meter has been disconnected by the WBSEDCL for non-payment of electricity bill.

After hearing both the parties, the Authority is hereby pleased to give the following directions:-

- A. The Respondent shall complete the fixing of all lights of common areas and electric connection to the lift including its completion and fitness certificate within **3 months** from the date of receipt of this order. He shall submit a notary attested Affidavit to this effect after completion of the said work to the Authority including copy of bills of common meter already paid by the Respondent.

Fix **07.11.2025** for further hearing and order.

Let copy of this order be served to both the parties immediately.


(BHOLANATH DAS)

Member

West Bengal Real Estate Regulatory Authority


(TAPAS MUKHOPADHYAY)

Member

West Bengal Real Estate Regulatory Authority