ORDER SHEET

WEST BENGAL HOUSING INDUSTRY REGULATORY AUTHORITY

Complaint No. COM-000188 of 2019

Mayukh Sarkar......Complainant

AND

Regent Hirise Pvt. Ltd. & Riya Enclave Pvt. Ltd......Respondent

Sl. Number and date of order	Order and signature of Officer	Note of action Taken on order
Dictated & corrected by me	Complainant is present filing hazira. Respondent is not present though notice has been duly served as per postal slips. Let service notice of the Respondent be kept on record. Heard the Complainant and examined the complaint petition. Complainant is nominee of original allottee of flat in the project Unimark Riviera Phase-1, in the project of Respondent company at Uttarpara Municipality in terms of agreement signed with Prawal Tulsyan on 26/03/2013 for the purchase of flat as detailed in the sale agreement which was subsequently transferred to one Mrs. Payal Chitlangia wife of original allottee on 26/02/2014 and finally to the Complainant namely Mr. Mayukh Sarkar by way of tri party agreement signed on 28/11/2018. Complainant claimed to have got the right as allottee on the strength of the final agreement a copy of which is attached to the complaint petition and prays for direction upon the Respondent promoter to hand over possession of the property as per sale agreement along with admissible compensation for delay in possession. Prima facie this Authority is satisfied to proceed further under Rule 36 (2) of WBHIRA Rule, 2018. Accordingly issue notices to Respondent to submit written response on affidavit, disclosing timeline of delivery of physical possession of the property if the facts in the prayer are not disputed.	***

Let such affidavit be filed within two weeks from date of receipt of this order.

Complainant is also allowed to serve the complaint petition to the Respondent and file service return before next date of hearing.

To 24/02/2020 for further hearing and orders.

Dictated & corrected by me

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(ONKAR SINGH MEENA)
Designated Authority,
Housing Industry Regulatory Authority,
West Bengal.

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