

FORM 'J'
See rule 36(1)

COMPLAINT TO AUTHORITY
Complaint under section 31 of the Act

For use of Authority(s) office :

Date of filing : 8/13/2019

Date of receipt by post : _____

Complaint No. : COM000125

Signature : _____

Authorized Officer : _____

IN THE HOUSING INDUSTRY REGULATORY AUTHORITIES OFFICE

Calcutta Greens Commercial Complex (1st Floor), 1050/2, Survey Park, Kolkata-700075

Between
Prasenjit Dutta Complainant(s)
And
Ideal Real Estates Pvt. Ltd. Respondent(s)

Details of claim :

1. Particulars of the complainant(s) :

- (i) Name of the complainant : Prasenjit Dutta
- (ii) Address of the existing office / residence of the complainant : 99/3, Panchanantola Road Paschim Putiary, Kolkata, Kolkata, Haridevpur, 700041
- (iii) Address of the service of all notice : Prasenjit Dutta
99/3, Panchanantola Road (opposite PIALY apartment)
Paschim Putiary,
Kolkata-700041

2. Particulars of the respondents:

- (i) Name(s) of the respondent : Ideal Real Estates Pvt. Ltd.
- (ii) Office address of the respondent : Mouza Mahishbathan & Thakdari, Ward No. 28, Bidhannagar Municipal Corporation,, North 24-Parganas, Bidhannagar Municipal Corporation Bidhannagar (East), West Bengal, 700102
- (iii) Address for service of all notices : The Director,
Ideal Real Estate Pvt. Ltd.
50, Jawahar Lal Nehru Road,
P.S.- Shakespere Sarani,
Kolkata- 700017

3. Jurisdiction of the Authority : North 24-Parganas

4. The complainant declares that the subject matter of the claim falls within the jurisdiction of the Authority. Facts of the case:

Project : Ideal Aquaview of Ideal Group (WBHIRA Ref No. HIRA/P/NOR/2018/000192)

Gross violation

1. Time of completion : As per the committed date the customers the project should be completed by 31st Dec, 2017 but they have shown time of completion as 30/9/2021 in WBHIRA . Copy of relevant pages of agreement are attached

2. Effect on Super Built Area due to increase in numbers of units : As per the information furnished through brochur all buildings are G +19. Now it is found that they are adding further floors and making it G+25 at least . There is no communication from Ideal Group in this regard and its implication on the super built up area of my unit which was derived based on G+19 structure.. Copy of old plan given in the brochure and new plan available in their website are attached

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Brief of my case

1. On 10th March, 2014 I, Prasenjit Dutta along with my wife Mrs. Jhinuk Dutta entered into an agreement for sale for Purchase of a flat in "Ideal Aquaview " project of Ideal Group having its registered office at 50, Jawaharlal Nehru Road, P.S.- Shakespeare Sarani, Kolkata -700017
2. As per agreement the flat is to be handed over on or before 31st December, 2017
3. Till date there is no communication from the Ideal Group in this regard.
4. I have sent several letters but no response received.
5. In spite of several correspondence they are completely silent and it is quite clear that they have no plan/target to complete the project and hand over the units.
6. I have recently visited site and found no such activity is going on at site.
7. I have requested them to refund my money with interest till the date of refund through a registered post letter dated 27.6.2019 and no response received.

(give a concise statement of facts and grounds for complaint)

5. Relief(s)

In view of the facts mentioned in paragraph 4 above, the complainant prays for the following relief(s) :

Under the situation mentioned above in pt.4. It is clear that we are being cheated and my humble request to WBHIRA authorities to take necessary action against the developer and arrange to refund my money with interest (as deemed fit under the situation).

(Specify below the relief(s) claimed explaining the grounds of relief(s) and the legal provisions (if any) relied upon)

6. Interim order, if prayed for:

Pending final decision on the complaint the complainant seeks issue of the following interim order:

(Give here the nature of the interim order prayed for with reasons)

7. Complainant not pending with any other court, etc:

The complainant further declares that the matter regarding which this complaint has been made is not pending before any court of law or any other authority or any other tribunal(s).

8. Particulars of bank draft in respect of the fee in terms of sub-rule (1) of rule 36:

- (i) Amount : 1000
- (ii) Name of the bank on which drawn : BillDesk Online Payment

9. List of enclosures :

(Specify the details of enclosures with the complaint)

Letters to Ideal Group

Plan from Old brochure showing G+19 building

Selected portion agreement for project completion

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Verification

I **Prasenjit Dutta** son / daughter of **Karali Charan Dutta** the applicant do hereby verify that the contents of paragraphs (1 to 7) are true to my personal knowledge and belief and that I have not suppressed any material fact(s).

Place : *Kolkata*

Date : *13/8/2019*

Prasenjit Dutta

Signature of the applicant(s)