

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 : 12/24/2020

Date of receipt by post : _____

Complaint No. : COM000586

Signature : _____

Authorized Officer : _____

IN THE HOUSING INDUSTRY REGULATORY AUTHORITIES OFFICE

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

Between

Avishek Dutta Complainant(s)

And

USASHI REALSTATES PVT. LTD Respondent(s)

Details of claim :

1. Particulars of the complainant(s) :

(i) Name of the complainant : Avishek Dutta

(ii) Address of the existing office / residence of the complainant : Block- BA, Plot Number - 60, Salt Lake, Sector -1 BA-60, Salt Lake, Sector -1, North 24-Parganas, Bidhannagar Municipal Corporation, Bidhannagar (East), 700064

(iii) Address of the service of all notice : Avishek Dutta
BA-60, Salt Lake, Sector -1
Kolkata - 700064
Near - PNB Island
Kolkata - 700064
Mobile - 9830375151

2. Particulars of the respondents:

(i) Name(s) of the respondent : USASHI REALSTATES PVT. LTD

(ii) Office address of the respondent : USASHI REALSTATES PVT. LTD. 81, Golaghata, VIP Road, Flat - 1B, Radhakunja Apartment, Near BIKA Banquet, Kolkata - 700048

(iii) Address for service of all notices : USASHI REALSTATES PVT. LTD.
81, Golaghata, VIP Road, Flat - 1B, Radhakunja Apartment,
Near BIKA Banquet, Kolkata - 700048
Phone - 033 6555 5050
Email - support@evanieinfra.com
Cell: +91 9073943106

OR

EVANIE INFRASTRUCTURE PVT LTD

86, Golaghata, VIP Road, Jamuna Apartment (1st Floor), Behind Venkatesh Banquet, Kolkata - 700048

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:

Myself Avishek Dutta, booked a King town 3 BHK Flat on dated 26th March, 2017 And Application Kit Number KTN 2907 and paid Total 4, 00,000 INR [Four Lakh Rupees] for this King Town 3 BHK Flat Project vide below

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receipt number from Usashi Realstates Pvt Ltd.

APPLICATION NO.KTN002907
USASHI REALSTATES PVT. LTD (Usashi King Town Project in Rajarhat)

- A. 3172 dated 26th March 2017 of Rupees 1 Lakh only
B. 953 dated 30th November 2017 of Rupees 3 Lakh only

After a long wait till December 2018, I went for cancellation of my booking and want to refund my full amount Total 4,00,000 INR [Four Lakh Rupees] with 2 years Interest on dated 17th December 2018. After 4 Months of my application March 2019 Usashi was given me 3 cheques for returning my amount. I have handovered all my Original Receipts, Original Agreement to Usashi Realstates Pvt. Ltd. on the same day, which day I received below cheques. But all below cheques are fraud, as when I dropped 1st cheque to my account on 12th April 2019 which got returned due to a signed mismatch

They have given me the following cheques towards refund payment:-

1. Cheque No.082448 dated.12/04/2019 for Rs.63,551/-
2. Cheque No.082449 dated. 25/04/2019 for Rs.1,00,000/-
3. Cheque No.082450 dated.20/05/2019 for Rs.2,00,000/-

After the same continuous communication with Usashi from May 2019 to Nov 2019 no positive results from Usashi and also they not given any new cheque and amount and at last their Advocate Mr Sumit Roy go for a Full and final commitment (Letter attached with this mail) with me in their Letter head that they will pay total amount in monthly 5000 INR on dated 17th November 2019. But they paya single amount to my Bank after constinious follow up from that day to till today.

(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) :
I need refund of my full 400000/(Four Lakh) amount with Interest and all compensation against my harassments from last 3 years

(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:
Immediately take action against USASHI REALSTATES PVT. LTD. and their partners and also return my total full 400000(Four Lakh) INR with interest asap.

Pending final decision on the complaint the complainant seeks issue of the following interim order:
I can wait till my Amount receive and also ready to go for more escalation and proper justice against USASHI REALSTATES PVT. LTD.

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

7. Complainant not pending with any other court, etc:
No I have not submitted this complaint to any court till now due to Pandemic situation

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)

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GST Refund Letter

King Town Flat Cancellation Letter

King Town Flat Receipt of booking-my 4 Lakh amount payment receipt

Usashi Bounced 3 cheques

Usashi Full and Final letter also fraud letter

Usashi Mail Related to Cheque Bounced APPLICATION NO.KTN002907

Verification

I Avishek Dutta son / daughter of Dilip Kumar 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 : SALT LAKE, KOLKATA, INDIA .

Date : 24/12/2020

Avishek Dutta
Signature of the applicant(s)