

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 4/23/2021

Date of receipt by post : \_\_\_\_\_

Complaint No. COM000724

Signature : \_\_\_\_\_

Authorized Officer : \_\_\_\_\_

**IN THE HOUSING INDUSTRY REGULATORY AUTHORITIES OFFICE**

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

Between

KAUSHIK SAHA Complainant(s)

And

PAWAN KUMAR AGARWAL Respondent(s)

**Details of claim :**

1. Particulars of the complainant(s) :

(i) Name of the complainant : KAUSHIK SAHA

(ii) Address of the existing office / residence of the complainant :

(iii) Address of the service of all notice : mail id: sahakaushik77@gmail.com

Kaushik saha

Chatterjee bagan ( Near Durga mandir)

P O.: Chuchura-RS

Dist: Hooghly

Pin. 712102

2. Particulars of the respondents:

(i) Name(s) of the respondent : PAWAN KUMAR AGARWAL

(ii) Office address of the respondent : "Riya Manbhari Projects LLP "Narayani Building" 1st Floor, Room No. 101 27, Brabourne Road, Kolkata - 700001 Telefax +91 33 4003 4222"

(iii) Address for service of all notices : Riya Manbhari Projects LLP  
"Narayani Building" 1st Floor, Room No. 101

27, Brabourne Road, Kolkata - 700001

Telefax +91 33 4003 4222

mail:ccrmg@riyamanbhari.com,

accountsexe@riyamanbhari.com

3. Jurisdiction of the Authority - Kolkata

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

Sir,

I would like to inform you that I am Kaushik Saha and my wife Subhra das purchased a flat at Riya Manbhari Greens Complex, (opposite of Jivandeep nursing home) Makardaha, Domjur, Dist: Howrah, Pin:711409, Flat: Block 7, 3 H(3 BHK). The said project is developing by Riya Manbhari Projects LLP.

We made an agreement with the promoter/Developer (Authorized Signatory of Riya Manbhari Projects LLP)Mr. Pawan Kr Agarwal on 20thmay 2017.

We made all payments at proper time as per their demand later, though at the time of the first payment internal plaster had not been completed fully and the last and final payment will be disbursed by the bank at time of the registration.

We requested several times to the developer for the schedule date of the registration of our flat (i.e on 3rd Nov 2017 by mail which was our 1st written request) with proper documents like completion certificate, occupancy certificate

FORM 'J'  
See rule 36(1)

COMPLAINT TO AUTHORITY  
Complaint under section 31 of the Act

but they did not response and claimed also illegal interest. We had to take rented flat for more than 2 years due to this reason and we have faced lots of financial losses.

At the middle of July 2019, they handed over the key for possession of flat when they were unable to provide us the completion certificate, and occupancy certificate and was also unable to "Correction of Deed"(Statement or section of Draft Deed 5 8 1(4) and 6th Schedule are against the buyer's interest)

Now, we have realized that they handed over the flat with materials of poor quality and workmanship. Our fully decorated flat was damaged due to that reason and we have faced lots of financial losses because of the same reason.

So I want to register my flat with the claim of compensation amount of one third of the said flat's purchased value.

(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) :

1. Reistration with Proper documents like CC, OC etc
2. Correction of Deed ( against buyer's interest)
3. Registration with compensation ( due to poor quality materials and workmanship)

(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:

Nil

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)

Project Verification report

FORM 'J'  
(See rule 361)

COMPLAINT TO AUTHORITY  
Complaint under section 31 of the Act

Verification

KAUSHIK SAHA do hereby verify that KAMAL CHANDRA SAHA the applicant do hereby verify that the contents of paragraph 1 to 7 are true to my personal knowledge and belief and that I have not suppressed any material facts.

Place : Kharsa

Date : 23/04/21

Kamal Chandra Saha  
Signature of the applicant(s)