

COMPLAINT TO AUTHORITY
Complaint under section 31 of the Act

For use of Authority(s) office :

Date of filing : 2/19/2020

Date of receipt by post : _____

Complaint No. : COM000308

Signature : _____

Authorized Officer : _____

IN THE HOUSING INDUSTRY REGULATORY AUTHORITIES OFFICE

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

Between
Santanu Santra Complainant(s)
And
SAKET PROMOTERS LIMITED for Saket Nagar Phase 2
Respondent(s)

Details of claim :

1. Particulars of the complainant(s) :

- (i) Name of the complainant : Santanu Santra
- (ii) Address of the existing office / residence of the complainant :
- (iii) Address of the service of all notice : Santanu Santra

Flat 2A- 2B, Block 5
127 BT Road, Saket Nagar Phase 2,
Dunlop Kolkata - 700108

2. Particulars of the respondents:

- (i) Name(s) of the respondent : SAKET PROMOTERS LIMITED for Saket Nagar Phase 2
- (ii) Office address of the respondent : 46, B B GANGULY STREET, 1ST FLOOR, KOLKATA Kolkata WB 700012 IN
- (iii) Address for service of all notices : SAKET PROMOTERS LIMITED
46, B B GANGULY STREET, 1ST FLOOR, KOLKATA Kolkata WB 700012 IN

3. Jurisdiction of the Authority :

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

I booked a flat in Saket Nagar Phase 2, 127 BT road Dunlop, Kolkata – 700108 on 4th may 2013. It was a G+4 sanctioned plan no PWBS186/14 dated 10-8-2012 with total 108 no of flat in the complex. My flat size as per plan 1462 sqft (super built area). The completion date for the project was 30-April-2016 (as mentioned in the sale agreement page 16 Part III).

Now, as on date, the project has changed to G+5 via a sanctioned modification plan on 21-02-2014 and further modified on 28-05-2018. Total no of flat is 150+ within same facility and features. The project is still under construction (though promoter claims they have received CC on 14-Sep-2018 – no document of CC provided even after repetitive follow up in their official email). The construction work for this project is still going on. Still

1. There is no permanent electric supply
 2. No Drinking water provision
 3. Don't have proper sewage system
 4. Additional facility (like lift, common room, swimming pool, Library, Mandir etc.) as mentioned in approved project plan and their brochure is yet to be constructed
 5. Almost 25+ labor still working in the site everyday
- On 21-Jan-2020 after repetitive follow up for more than 2 years promoter aggress and executed my Flat registration. Before registration,

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- I requested Saket promoter official to adjust my remaining due with applicable penalty amount for construction delay (as mentioned in the sale agreement page 12 section 12.3).
 - Adjust the super built area as within same facility additional construction of flat has been made.
 - To complete the project as early as possible.
- No action was taken on the above points till today, 18-Feb-2020.

(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) :

- Issue of penalty amount for construction delay of My flat 2B, Block 5, Saket Nagar Phase 2 (as mentioned in the agreement page 12 section 12.3).
- To complete the project as early as possible.
- Adjust the super built area as within same facility additional construction of flat has been made and refund the extra amount paid for the flat (instead of 108 flats 152 flats are constructed)

(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)

Agreement First part

Agreement last part

Santanu Santra

FORM 'J'
See rule 36(1)

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Verification

I **Santanu Santra** son / daughter of **Ajit Kumar Santra** 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 : **19-02-2020**

Santanu Santra

Signature of the applicant(s)