

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 : 2/10/2021

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

Complaint No. : COM000642

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

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

**IN THE HOUSING INDUSTRY REGULATORY AUTHORITIES OFFICE**

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

Between

Samrat Mohanta Complainant(s)

And

Senco Infrastructure Private Limited Respondent(s)

**Details of claim :**

1. Particulars of the complainant(s) :

(i) Name of the complainant : Samrat Mohanta

(ii) Address of the existing office / residence of the complainant : 41, Garia Place, Sindhu Appt, Flat no. 7, 3rd Floor, Garia, Kolkata, Kolkata, Gariahat, 700084

(iii) Address of the service of all notice : 41, Garia Place, Sindhu Appt, Flat no. 7, 3rd Floor, Garia, Kolkata-700084

2. Particulars of the respondents:

(i) Name(s) of the respondent : Senco Infrastructure Private Limited

(ii) Office address of the respondent : 411/20, Hemanta Mukhapadhyay Sarani, Kolkata-700029

(iii) Address for service of all notices : 411/20, Hemanta Mukhapadhyay Sarani, Kolkata-700029

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:

On 20/08/2018, I had booked a flat in "Vasudhara Greens" project , Holding No. 691, Dakshin Maddha Fartabad, ward No. 28, RS Dag No. 3123, RS Khatian No. 177, 899, Mouza – Barhansh Fartabad, JL No. 47, PS Sonarpur, District:24 (p) South, Under Rajpur Sonarpur Municipality being Flat No. 1A situated on the 1st Floor of Block -1, having super built-up area of 1190Sqft. and one car parking space measuring about 130sqft on the said ground floor.

Earlier there were no commercial space in this project but now few parking spaces which is on ground floor has been converted into commercial space which is not acceptable from my end as it would create an all time noisy environment. No approval for the same has been taken from me or anyone else.

Also this project has a total of 44 apartments but yet not registered under WBHIRA. At the time of agreement promoter said they will get registered under WBHIRA soon but no records found on the WBHIRA Portal.

Also Possession date was decided at 24 months from the date of agreement i.e. 20/08/2020. Considering the 9 months extension given by WBHIRA (which is not applicable in this case as this project is not registered under WBHIRA) possession date would be May-2020, but there is no sign of completing the same within that date.

(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) :

It's already been 2 years since agreement; we waited a lot for this flat as well as 80% of the consideration has

*[Handwritten signature]*  
11/2/2021

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already been given to the promoter. Please direct the promoter to eliminate the commercial space and hand over the flat as soon as possible.

(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:  
Written confirmation for eliminating the commercial space and date on which possession will be provided.

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

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

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

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)

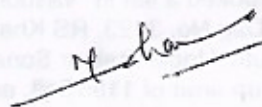
Sale Agreement

**Verification**

I Samrat Mohanta son / daughter of Shri Nagesh Chandra Mohanta 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 : 11.2.2021



Signature of the applicant(s)