

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 : 6/14/2020

Date of receipt by post : _____

Complaint No. : COM000389

Signature : _____

Authorized Officer : _____

IN THE HOUSING INDUSTRY REGULATORY AUTHORITIES OFFICE

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

Between

Hirendra Mohan Chattopadhyay Complainant(s)

And

RIVERBANK DEVELOPERS PRIVATE LIMITED Respondent(s)

Details of claim :

- Particulars of the complainant(s) :
 - Name of the complainant : Hirendra Mohan Chattopadhyay
 - Address of the existing office / residence of the complainant :
 - Address of the service of all notice :
- Particulars of the respondents:
 - Name(s) of the respondent : RIVERBANK DEVELOPERS PRIVATE LIMITED
 - Office address of the respondent : 1 NEW BATA ROAD, BATANAGAR, MAHESHTALA, South 24-Parganas, Thakurpukur Mahestola Mahestola, West Bengal, 700140
 - Address for service of all notices :
- Jurisdiction of the Authority : South 24-Parganas
- The complainant declares that the subject matter of the claim falls within the jurisdiction of the Authority. Facts of the case:

I alongwith my wife Smt. Maitreyi Chattopadhyay applied for a flat with multilevel carparking to 'Riverbank Developers Private Limited', at 225C, AJC Bose Road, 4th Floor, Kolkata-700020, West Bengal, India, who proposed to construct flats in multistoried blocks of Hiland Greens at Batanagar, West Bengal. On payment of initial ₹50,000/- and subsequent ₹2,37,750/-, we were allotted apartment no 14A1 on 14th floor at Tower-29 at Hiland Greens through a letter "Hiland Greens/Allotment/AG/13-14/T-29/14A1 at 01.03.2014. According to terms 50% amount of cost of parking space (i.e. ₹1,41,749/-) was paid through cheque 523949 dated 08.10.2014 on Axis Bank, Golpark Branch when 2nd installment was paid as requirement of confirmation of car park. Subsequently covered car parking no K735 was allotted to us through a letter dated 16.10.2017. I am in all paid ₹19,99,071/- and in no time I was a defaulter.

According to Clause in application I should have got possession of flat with carparking by end of August 2017.

I am sorry to state even before completion of flat and car park they made demands for balance payment of flat and car park in Nov 2017. They also started raising maintenance bill from February 2018. On inspection of site in April 2018, I find the Tower 29 to be apparently complete, without lift and other systems and full of construction dust and car park was far from completion.

I informed the promoter my observation, through a letter and requested them to refrain from raising maintenance bill. After that I never received any intimation from them about completion of flat and elevated car park. I understand that both in Tower 29 were handed over to the resident in mid 2019 and car park K735 was far from

FORM 'J'
See rule 36(1)

COMPLAINT TO AUTHORITY
Complaint under section 31 of the Act

(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 circumstances at the present moment of 2020, I do not want to go ahead in the project anymore as project is very much delayed from scheduled day of completion and handing over.

I therefore make a request to you, to insist on 'Riverbank Developers Private Limited' to return me total money of ₹19,99,071/- with interest and compensation

(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)

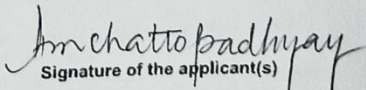
Payment receipts.

Verification

I Hirendra Mohan Chattopadhyay son / daughter of Phanindra Mohan Chattopadhyay 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 : 15/06/2020.


Signature of the applicant(s)