

**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 : 12/29/2020

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

Complaint No. : COM000592

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

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

**IN THE HOUSING INDUSTRY REGULATORY AUTHORITIES OFFICE**

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

Between

Sumit Kumar Bhar                      Complainant(s)

And

Bengal Shapoorji Housing development Pvt Ltd                      Respondent(s)

**Details of claim :**

1. Particulars of the complainant(s) :

(i) Name of the complainant : Sumit Kumar Bhar

(ii) Address of the existing office / residence of the complainant : Space Tower G-8 Rabindra Pally Block-D  
Joramandir Baguiati, North 24-Parganas, Bidhannagar Municipal Corporation, Baguhati, 700059

(iii) Address of the service of all notice : Space Tower G-8 Rabindra Pally Block-D  
Joramandir Baguiati  
Kolkata-700059

2. Particulars of the respondents:

(i) Name(s) of the respondent : Bengal Shapoorji Housing development Pvt Ltd

(ii) Office address of the respondent : Mira Tower, Sec-V, Salt Lake City, Kolkata-700091

(iii) Address for service of all notices : Bengal Shapoorji Housing development Pvt Ltd

Mira Tower, 8th Floor,

DN-27, Sector-V,

Salt Lake City

Kolkata-700 091

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 have been allotted through a draw of lots one 3 BHK flat by Bengal Shapoorji Housing Development Pvt. Ltd. BSHDPL. Vide Application No 132345- Allotment No M/72/0603- SPRIHA-Phase-6- in the name of myself i e Sumit Kumar Bhar in the month of September 2016. As per rules and prospectus of BSHDPL the flats were supposed to be delivered within 36 Months from the date of allotment i e by September 2019. All the payments as per their schedule and demand have been made without any exception. It is almost 50 Months gone the flat was not delivered. I am incurring the amount of Interest on the borrowed capital.

(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) :

Out of such apathetic attitude of the builder, I have been suffering huge mental anxiety, harassment, and bear the huge burden of interest on the borrowed amount and other general damages and special damages arising out of the delay to handover the possession of the said unit which only caused due to the deficiency in service of the

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builder and their unfair trade practice. The compensation as per my calculation is comes to Rs. 16000/- per month for 14 Months as of now plus Mental shock and agony Rs 10000/- Total Rs 234000/- Rupees two lacs thirty four thousand only. I believe that the judge would find my demand as reasonable and justified and would also be kind enough to arrange immediate compensation of Rs 234000/- as remedies to my sufferings.

(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:  
Legal notice sent on Nov 2020 refused by the respondent

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)

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**Verification**

I **Sumit Kumar Bhar** son / daughter of **Late Bholu Nath Bhar** 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 : *Bangalore*

Date : *30/11/2020*

*Sumit K. M.*  
Signature of the applicant(s)

(SUMIT KR BHAR)