

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 : 11/26/2019

Date of receipt by post : _____

Complaint No. : COM000182

Signature : _____

Authorized Officer : _____

IN THE HOUSING INDUSTRY REGULATORY AUTHORITIES OFFICE

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

Between
Sandeep Goyal Complainant(s)
And
Jain Group Projects private Limited Respondent(s)

Details of claim :

- Particulars of the complainant(s) :
 - Name of the complainant : Sandeep Goyal
 - Address of the existing office / residence of the complainant : Mayfair Residency, I.T.I Road, Jyotinagar, Jalpaiguri, Jalpaiguri, Bhaktinnagar, 734001
 - Address of the service of all notice : Sandeep Goyal
Mayfair Residency
ITI Road, Jyotinagar
Siliguri - 734001
- Particulars of the respondents:
 - Name(s) of the respondent : Jain Group Projects private Limited
 - Office address of the respondent : 44/2A Hazra Road, Kolkata - 700019
 - Address for service of all notices : Jain Group Projects private Limited
44/2A Hazra Road, Kolkata - 700019

3. Jurisdiction of the Authority :

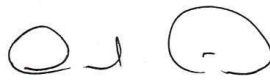
4. The complainant declares that the subject matter of the claim falls within the jurisdiction of the Authority. Facts of the case:

The complainant is an Indian Citizen having a present place of residence at the address as mentioned in the cause title hereinabove and booked one residential Flat being Flat No. A on the 9th Floor of the Building named Ritz having 1605 sq. ft with car parking and paid the initial booking amount of Rs.1,00,000.00. Thereafter on payment of 20% of the total consideration the agreement was executed on 31.10.2011.. the booking was done on the basis of the representation that the "Dream Valley" complex would be a serene, peaceful and masterfully planned residential complex with all ultra modern amenities.

The Respondent thereafter delayed the project and was also not developing as per the representation made by them at the time of booking. They promised that the complex will be covered in over 4 acres but it now appears that the complex is only in about 2 acres of Land and promised amenities were also reduced. Moreover, the respondent are making construction at snail pace and was delayed considerably. When the Complainant raised question about such irregularities his booking was cancelled and all amount paid by him was forfeited.

The Respondent ought to have taken the registration under the present case in as much as the project is on the land having more than 500 square meters and the completion certificate has not been obtained by them till date and as such this authority has the Jurisdiction to try and entertain the dispute.

The Complainant reserve his right to make further submissions at the time of hearing.


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(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. Direction be passed upon the Respondent for taking registration of the project forthwith.
2. Direction upon the Respondent to forthwith reinstate the booking of the complainant .
3. Direction be passed upon the Respondent not to sell transfer and convey or create third party interest in the said Flat No. A on the 9th floor of the building named Ritz having 1605 square feet and one covered car Park. .
4. Direction upon the Respondent to sell transfer and convey Flat No. A on the 9th floor of the building named Ritz having 1605 square feet and one covered car Park booked by the complainant after taking the balance consideration as mentioned in the agreement for sale.

(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:

Interim order directing the Respondent not to sell transfer or encumber Flat No. A on the 9th floor of the building named Ritz having 1605 square feet and one covered car Park till the final decision is passed.

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

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

Interim order directing the Respondent not to sell transfer or encumber Flat No. A on the 9th floor of the building named Ritz having 1605 square feet and one covered car Park till the final decision is passed.

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)

Cancellation letter

OJ
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Verification

I Sandeep Goyal son / daughter of Bajrang Goyal 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 : SUGAR

Date : 26/11/2019

Signature of the applicant(s)