

COMPLAINT TO AUTHORITY
Complaint under section 31 of the Act

For use of Authority(s) office :

Date of filing : 6/11/2020

Date of receipt by post : _____

Complaint No. : COM000387

Signature : _____

Authorized Officer : _____

IN THE HOUSING INDUSTRY REGULATORY AUTHORITIES OFFICE

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

Between

Arup Kumar Roy Complainant(s)

And

USASHI REALSTATES PVT. LTD. Respondent(s)

Details of claim :

1. Particulars of the complainant(s) :

(i) Name of the complainant : Arup Kumar Roy

(ii) Address of the existing office / residence of the complainant : Peerless Nagar Flat : C-13/302 Sodepur B. T. Road Kolata, North 24-Parganas, Panihati, Khardha, 700114

(iii) Address of the service of all notice :

2. Particulars of the respondents:

(i) Name(s) of the respondent : USASHI REALSTATES PVT. LTD.

(ii) Office address of the respondent : 81, GOLAGHATA, VIP ROAD, FLAT - 1B, RADHAKUNJA APARTMENT, NEAR BIKA BANQUET, KOLKATA - 700048. W.B.

(iii) Address for service of all notices : 86, GOLAGHATA, VIP ROAD, GANGA APARTMENT, 2ND. FLOOR, KILKATA - 700048.

3. Jurisdiction of the Authority : Kolata

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

I beg to inform you that understanding from News Paper advertisement from USASHI REALSTATES PVT. LTD. That they are going to launch one project named " USASHI PRINCE TOWN " near Hatishala More, New Town, Action Area III. Accordingly, I booked one Flat of Total Area 819.3 Sq. Ft. at the basic sale price of 1990/- per Sq. Ft. on 31.07.2016 with initial booking fee of 1,50,000/- vide Application No. UPT 02024 with assurance of complete flat will be handed over on end of the year 2019. Thereafter another instalment of 2,15,355/- deposited on 09.04.2017, as per terms but till date no progress of construction taken place and no flat yet been constructed at the USASHI Prince Town Project.

Sir, since after April, 2017 I contacted with the officials of the USASHI REALSTATES PVT. LTD on so many occasions and on each occasion they consoled me with sweet tongue and assured me not to worry due to some sort of petty problem , construction works held up and it will be resumed shortly. They also assured that if due to any reason construction work could not be finished within the time , full money will be refunded with penal interest or suitable flat in the other project will be provided. I believed them and waited for long time. But Very recently on December, 2019, I visited the site at Hatishala, New Town where proposed project USASHI PRINCE TOWN scheduled to be constructed but to my astonish I noticed that no construction till the started there and I enquired to know that no further construction will be started in the near future and the officials of the Project also could not assure about construction works due to

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some acute Land Problem and suggested to appeal for refund of money .
Accordingly I appealed before the authority on 23.12.2019 for refund of money for 3,65,355/-
along with penal interest . But till date no money refunded and no correspondence made so far.
Now they not even receive telephone. So please get me my full money with interest & oblige.

(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) :

I deposited total amount of rupees 3,65,355/- in two instalments and since no construction works started till date , I demand for refund of full amount deposited with penal interest for the period the money held unauthorised along with cost of harassment, humiliation and social crime to the tune of additional minimum 5 lakhs. Therefore, total amount comes to the tune of 10,00,000/- towards relief.

(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 OF SALE

CANCELLATION LETTER FOR FLAT BOOKING

INTRODUCTION

MONEY RECEIPTS

PROOF OF APPLICANTS

PROOF OF BOOKING

REMINDER OF PAYMENT

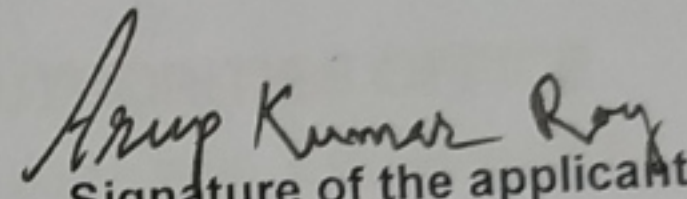
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Verification

I Arup Kumar Roy son / daughter of Late Nokuleswar Roy 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 : Sodepur, Kolkata .

Date : 11.06.2020


Signature of the applicant(s)