

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 : 10/19/2020

Date of receipt by post : _____

Complaint No. : COM000531

Signature : _____

Authorized Officer : _____

IN THE HOUSING INDUSTRY REGULATORY AUTHORITIES OFFICE

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

Between

Prodip Kumar Biswas Complainant(s)

And

Evanie Infrastructure Private Limited Respondent(s)

Details of claim :

1. Particulars of the complainant(s) :

(i) Name of the complainant : Prodip Kumar Biswas

(ii) Address of the existing office / residence of the complainant : B-3/5, Samadrita Cooperative Housing Society, EKTP Phase 3 Ruby Golpark, Kolkata, Kasba, 700107

(iii) Address of the service of all notice :

2. Particulars of the respondents:

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

(ii) Office address of the respondent : MOUZA HUDARIT P.O RAJARHAT, North 24-Parganas, Rajarhat Rajarhat, West Bengal, 700135

(iii) Address for service of all notices :

3. Jurisdiction of the Authority : North 24-Parganas

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

I had booked a flat in the Evanie ECONEST project under the EVANIE INFRASTRUCTURE PRIVATE LIMITED.

Application number is EEN1613 dated 28/08/2017

I had paid an amount of Rs 20 Lakhs (Rs 20,00,000) as advance for the flat vide Bank Of Baroda cheque number 000016 dated 29/08/2017 which was withdrawn at HDFC Bank Lake Town branch by Evanie Infrastructure Private Limited.

The flat was promised for handover within the 36 months from the date of agreement.

But the project work has yet to commence until now.

(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 am a retired person staying in a rented apartment and was expecting to move into the new flat by now which would not be possible now as the project did not even start. As I have no other options left hence would request to

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help me in getting back the full amount along with interest from the EVANIE INFRASTRUCTURE PRIVATE LIMITED company 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:

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)

Bank_OF_Baroda_Cheque_Twenty_Lakhs

Evanie_Flat_Booking_Application_Part 1

Evanie_Flat_Booking_Application_Part 2

Evanie_Payment_Accepted_Confirmation_Letter

Evanie_Payment_Accepted_Receipt

Flat Agreement Part 1

Flat Agreement Part 2

Flat Agreement Part 3

Flat Agreement Part 4

Flat Agreement Part 5

Prodip_Biswas_Bank_Statement_Proof_Of_Payment_Retrieval

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Prodip_Biswas_Hand_Written_Letter_To WBHIRA_for_help_get_refund

Verification

I **Prodip Kumar Biswas** son / daughter of **Promode Behari Biswas** 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 : *20.10.2020*

*Prodip Kumar Biswas
Patralekha Biswas.*

Signature of the applicant(s)