

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 : 2/14/2021

Date of receipt by post : _____

Complaint No. : COM000644

Signature : _____

Authorized Officer : _____

IN THE HOUSING INDUSTRY REGULATORY AUTHORITIES OFFICE

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

Between
Madhurima Chowdhury Complainant(s)
And
Oswal Properties Pvt Ltd Respondent(s)

Details of claim :

1. Particulars of the complainant(s):
 - (i) Name of the complainant : Madhurima Chowdhury
 - (ii) Address of the existing office / residence of the complainant: 87, Savitri Apt, Srinagar main road Garia, kolkata, South 24-Parganas, Rajpur Sonarpur, Sonapur, 700094
 - (iii) Address of the service of all notice: 2097, Srinagar main road, Garia, Kolkata-700094
2. Particulars of the respondents:
 - (i) Name(s) of the respondent: Oswal Properties Pvt Ltd
 - (ii) Office address of the respondent: 159, Rabindra Sarani, Onkar Mansion, Room-2C, @2nd floor, Kol-700007
 - (iii) Address for service of all notices: 159, Rabindra Sarani, Onkar Mansion, Room-2C, @2nd floor, Kol-700007
3. Jurisdiction of the Authority: Hiland Park
4. The complainant declares that the subject matter of the claim falls within the jurisdiction of the Authority. Facts of the case:

The following issues:

 - i. The developer Oswal Properties Private Limited has not provided with HIRA registration number although it has got completion certificate from KMC in September, 2019.
 - ii. As per structural plan and design submitted the super structure was supposed to be done with first class brick but in reality AAC Block has been used. No such revised plan has been provided by the developer, where it is mentioning that the super structure be done with AAC block.
 - iii. While executing the AAC Block the developer did not follow the instruction and guidance laid under IS CODE:6041 (internal plaster has not been done, putty is directly applied on AAC Block surface, horizontal and vertical RCC bands have not been given, can be clearly observed from the cracks).
 - iv. Developer has sold a parking area which is a driveway and such parking is not sanctioned in the sanctioned plan drawing.
 - v. Developer has inordinately delayed registration of deed of sale with respect to the flat causing loss with respect to loan taken from SBI

(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) :

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The developer would rebuild the entire flat with first class brick or compensate the cost of dismantling and rebuilding the flat with brick work as per the complainant's convenient time.
In view of the facts mentioned in paragraph 4 above, the complainant prays for the following relief(s): The developer should at once be asked to deal the matter at the earliest without any further delay.

(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 issuance of the following interim order
- i. Suspension of license of the developer till it takes steps for curing the defects
 - ii. Such order or orders as the forum may deem fit and proper

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)

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)

Completion Certificate

Photos of crack walls

Possession letter from developer

Sanction letter of the loan, letter of proposed charge by SBI to developer and reply and other communications with SBI

Sanction plans, Original and U/R 26(2a)(2b)/

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Verification

I **Madhurima Chowdhury** son / daughter of **Late Heramba Chowdhury** 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 : 14.2.2021



Signature of the applicant(s)