

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 : 8/26/2020

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

Complaint No. : COM000477

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

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

IN THE HOUSING INDUSTRY REGULATORY AUTHORITIES OFFICE  
Calcutta Greens Commercial Complex (1st Floor), 1050/2, Survey Park, Kolkata-700075

Between

Satish Sharma Complainant(s)

And

Mr. Ashok Kumar Tulsyan/ Uday Modi/Raj Kishore Modi/Prateek Tulsyan  
Respondent(s)

Details of claim :

1. Particulars of the complainant(s) :

- (i) Name of the complainant : Satish Sharma
- (ii) Address of the existing office / residence of the complainant : D5, 5TH Floor, Block 6, TERRACE HEIGHTS Greentech City, Rajarhat, North 24-Parganas, Rajarhat, 700135
- (iii) Address of the service of all notice : Rajiv Kumar Choudhary  
"Ritanchal",  
K. C. Sen Rd.  
Daibakpara, Chandannagore.  
Hooghly - 712136.  
Ph - 7980138364

2. Particulars of the respondents:

- (i) Name(s) of the respondent : Mr. Ashok Kumar Tulsyan/ Uday Modi/Raj Kishore Modi/Prateek Tulsyan
- (ii) Office address of the respondent : 1/1B, Upper Wood Street ,Kolkata 700017
- (iii) Address for service of all notices : 1/1B, Upper Wood Street ,Kolkata 700017

(or)

Mangal Jyoti Building.  
Flat No 104,  
1st Floor  
227/2 AJC Bose Rd (near Minto Park Crossing)  
Kolkata 700020.

3. Jurisdiction of the Authority : Yes

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

My client Mr. Satish Sharma as Buyer agreed to purchase and acquire a residential unit with No. "D - 5 on the 5 th Floor, Block No. 06, within the unit "TERRACE HEIGHTS" in the project known and called "Green Tech City" on the date 09/06/2015. At the time of booking my clients had paid an advance sum of Rs. 18,75,412/- (Eighteen Lakh seventy five thousand and four hundred twelve only). But till date, 26/08/2020, they have not been able to handover the aforesaid unit to my client.

In spite of several requests, through verbal or telephonic or letters addressed to the Owner/Developer /Directors Mr. Ashok Kumar Tulsyan/ Uday Modi/Raj Kishore Modi & Prateek Tulsyan all having office at 1/1B, Upper Wood Street ,Kolkata 700017 of the Projects "Greentech IT City Pvt. Ltd.", they have paid no attention in this regard.



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So my client finally made a Cancellation Agreement with Owner/Developer /Directors on dated 25th March 2019 to cancel the booking of said unit. And accordingly, as per agreement, Owner/Developer /Directors became ready to refund the entire paid amount through 6 (Six) instalments of Rs. 3,20,000/- each without interest from 16th August 2019 onwards and balance amount to be paid each month regularly on same date and my client agreed to this.

After again several requests and even personally visiting their office Owner/Developer /Directors Mr. Ashok Kumar Tulsyan/ Uday Modi/Raj Kishore Modi & Prateek Tulsyan did not give any response nor did they pay a single instalment till date, 26/08/2020.

Now there is no other option, than to approach Hon'ble Regulatory Authority to recover all the paid Amount with Interest from the Owner/Developer /Directors .

(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) :

In the facts and circumstances mentioned in the above paragraph/point (4), the appellant prays for the following reliefs:

1. Advance paid amount including Interest to be returned in one transaction as the money will be used for a family medical emergency.

2. Costs of and incidental to the appeal be paid by the respondent;

3. Ad interim order in terms of prayers above;

And till the time as such further or other order or orders are passed, direction or directions be given as and which this Hon'ble Tribunal may deem fit and proper.

(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:

The Appellants have a very good cause on the merits of the matter.

The Interim Relief as prayed for is granted whereas grave and irreparable harm, loss, prejudice, injury and damage would be caused to the Appellant if the interim relief as prayed for is not granted.

The balance of convenience requires that the interim relief as prayed for be granted by this Hon'ble Regulatory Authority.

It is in the interest of justice, equity, good conscience and the balance of convenience that the interim relief as prayed for be granted by this Hon'ble Regulatory Authority.

Pending final decision on the complaint the complainant seeks issue of the following interim order:  
The balance of convenience requires that the interim relief as prayed for be granted by this Hon'ble Regulatory Authority as deemed fit and proper.

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

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

No

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

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9. List of enclosures :  
(Specify the details of enclosures with the complaint)

Booking Agreement - 1

Booking Agreement - 2

Cancellation Booking

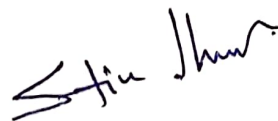
Payment

**Verification**

I **Satish Sharma** son / daughter of **Shri Ram Gopal Sharma** 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 :**

**Date :**



**Signature of the applicant(s)**

## Payment Confirmation

Your Request for payment has been submitted successfully.

Your payment using Net Banking for transaction id SSBI9154185761 has been taken on 26-08-2020 14:11:50.

Service Name	Reference NO	Reference ID	Amount
WB Housing Industry Regulatory Authority-COM000477, Satish Sharma	WB2008261409193201_1	SSBI9154185761_1	1000.00

Bank Reference No: IGAJGOUER0

Total Amount: 1000.00

