

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 : 12/22/2019

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

Complaint No. : COM000203

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

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

**IN THE HOUSING INDUSTRY REGULATORY AUTHORITIES OFFICE**

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

Between  
Priyam Ghosh Complainant(s)  
And  
Nestwood Estates Pvt. Ltd. Respondent(s)

**Details of claim :**

- Particulars of the complainant(s) :
  - Name of the complainant : Priyam Ghosh
  - Address of the existing office / residence of the complainant : Hareknagar Beldanga, Murshidabad, Beldanga - I, Beldanga, 742133
  - Address of the service of all notice :
- Particulars of the respondents:
  - Name(s) of the respondent : Nestwood Estates Pvt. Ltd
  - Office address of the respondent : Astra Tower, North building, Room no. 706, 7th floor, NewTown, West Bengal 700135
  - Address for service of all notices :
- 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.

This is to state that I, Priyam Ghosh and my brother Subhadip Ghosh, S/O Prabal Kanti Ghosh, resident of 10/1B, Seven Tanks Lane, Dumdum, Kolkata 700030, W.B. had come to know about a housing project "Nestwood Maple" launched and constructed by "Nestwood Estates Pvt. Ltd." with their registered office at Office Space No-306, 3rd Floor, PS IXL - Block A, Atghora, New Town, District 24 Parganas (N), Kolkata 700136 which is recently shifted to Astra Tower, North building, Room no. 706, 7th floor, NewTown, West Bengal 700135 through the advertisements published in the leading daily newspapers.

I booked one self contained 3BHK flat measuring 1050sq feet (appx.) @1800/sq ft. The consideration amount of the said flat was Rs. 18,90,000 and I made a payment for Rs. 2,83,500 (Two Lac eighty three thousand five Hundred only) by two cheques drawn on HDFC Bank.

At the time to booking of the flat and making the payment, I was promised that the construction of the project would start by October 2014 and the possession of the flat will be given in the year 2019. After making the payment the company did not share any document related to the project and kept on citing various reasons for the delay in starting of the construction work.

Even after receiving the payment the company Nestwood Estates Pvt. Ltd. did not draw the Agreement for Sale. The company kept on insisting that they will draw the Agreement for Sale once the construction work starts.

When enquired about the construction status they kept on misinforming that the land conversion is in progress.

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Once the conversion is approved they said that the company have submitted the Construction plan to the local authority for approval

In march 2017 the company offered to move by booking into another housing project "Gulmohar" developed by BACM Projects Pvt. Ltd. With their registered office at 306, 3rd Floor, PS IXL, Block A, Atghora, New Town , Kolkata 700136 that was coming up in the same area where the construction

(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) :

Document List :

1. Money Receipt
2. Merge with Dharitri Pvt. Ltd
3. Nestwood Maple Welcome Letter
4. Nestwood Maple Letter of Intent
5. Cheques xerox copies
6. Nestwood Gulmohar Introduced
7. MoU
8. Complaint Against Nestwood Estate Pvt. Ltd.
9. Refund Payment schedule

(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)

Complaint letter

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Verification

I Priyam Ghosh son / daughter of Prabal Kanti Ghosh 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 : 02.01.2020

*Priyam Ghosh.*

Signature of the applicant(s)