

COMPLAINT TO AUTHORITY
Complaint under section 31 of the Act

For use of Authority(s) office :

Date of filing : 4/28/2021

Date of receipt by post : _____

Complaint No. : COM000731

Signature : _____

Authorized Officer : _____

IN THE HOUSING INDUSTRY REGULATORY AUTHORITIES OFFICE

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

Between
NAYAN MONI BHATTACHARJEE Complainant(s)
And
NISHIT SARKAR (I LAND DEVELOPER) Respondent(s)

Details of claim :

1. Particulars of the complainant(s) :

- (i) Name of the complainant : NAYAN MONI BHATTACHARJEE
- (ii) Address of the existing office / residence of the complainant :
- (iii) Address of the service of all notice : FLAT NO. 3/A , 3RD FLOOR , 47/A BANERJEE PARA ROAD
KOLKATA
PIN 700060

2. Particulars of the respondents:

- (i) Name(s) of the respondent : NISHIT SARKAR (I LAND DEVELOPER)
- (ii) Office address of the respondent : RAA/13, RAGHUNATHPUR (EAST) , VIP ROAD, TEGHORIA (NEAR ZOOM NURSING HOME) KOLKATA PIN- 700059
- (iii) Address for service of all notices : OFFICE ADDRESS - I LAND DEVELOPER , RAA/13 , RAGHUNATHPUR (EAST) , VIP ROAD , TEGHORIA (NEAR ZOOM NURSING HOME) , KOLKATA -700059
HOUSE ADDRESS - KANCHENJUNGA APARTMENT , HATIARA ROAD, PANDIT BATTALA , P.O - HATIARA, P.S - NEW TOWN , KOLKATA - 700157 , DISTRICT - NORTH 24 PARGANAS

3. Jurisdiction of the Authority : POLICE STATION NEW TOWN

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

WE BOOKED ONE FLAT NO. B BLOCK - F , 3RD FLOOR , BUDDING BUDS PROJECTS , AND AGAINST OF THAT WE PAID 20% ADVANCE AS DOWN PAYMENT ON 17TH NOVEMBER 2014 RS. 100000 AND ON 19TH NOV 2014 RS 458000 . BUT HE (NISHIT SARKAR) DID NOT DO CONSTRUCTION NEITHER RETURNED MONEY ..
AFTER SEVERAL FOLLOW HE GAVE TWO CHEQUES DATED 21ST SEPTEMBER 2016 RS. 300000 AND 5TH NOVEMBER 2016 RS. 258000 BUT UNFORTUNATELY BOTH CHEQUE S GOT BOUNCED .
ONCE AGAIN I STARTED FOLLOW UP AND GOT TWO CHEQUE S DATED 12TH AUGUST 2019 RS. 258000 AND 27TH AUGUST 2019 RS. 300000 BUT THIS TIME ALSO CHEQUE GOT BOUNCED OF RS. 258000 AND ANOTHER DID NOT PRESENT .
BEFORE 2019 I APPROACHED TO CONSUMER FORUM ON 2017 AND THEY SUGGESTED TO TAKE HELP OF ADVOCATE BUT I DID NOT GET TIME . NOW I APPROACHED TO THE ADVICATE I.E ROY & SAHA AND THEY SUGGESTED TO APPLY HIRA .

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(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) :
STILL TODAY I HAVE NOT RECEIVED MONEY . PLEASE ARRANGE TO GET THAT MONEY

(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:

WOULD LIKE TO GET YOUR LEGAL SUPPORT TO GET BACK MY MONEY

Pending final decision on the complaint the complainant seeks issue of the following interim order:
WOULD LIKE TO GET YOUR LEGAL SUPPORT TO GET BACK MY MONEY

(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)

1ST COMMITMENT WILL REFUND LETTER

1ST REFUND AND STOP PAYMT BY I LAND DEVELOPER

1ST TIME CHEQUE REFUND but I LAND DEVELOPER made STOP PAYMENT

2ND TIME 2 FRESH CHQ ISSUED

2ND TIME IN 2019 ANOTHER CHQ. ISSUED BUT made STOP PAYMENT

2ND TIME PAYMT STOP confirm by SBI

MONEY receipt 1st part letter from I LAND DEVELOPER

RS 458K PAID MONEY RECEIPT from I LAND DEVELOPER

RS 100K PAID MONEY RECEIPT by I LAND DEVELOPER

SALE DEED

FORM 'J'
See rule 36(1)

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Verification

I **NAYAN MONI BHATTACHARJEE** son / daughter of **NIHARENDHU BHATTACHARJEE** 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 : *28th Apr 2021*

N. Bhattacharjee
Signature of the applicant(s)