

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 : 8/30/2020

Date of receipt by post : _____

Complaint No. : COM000481

Signature : _____

Authorized Officer : _____

IN THE HOUSING INDUSTRY REGULATORY AUTHORITIES OFFICE

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

Between

Naresh Agarwal Complainant(s)

And

Ideal Real Estates Pvt. Ltd. Respondent(s)

Details of claim :

1. Particulars of the complainant(s) :

- (i) Name of the complainant : Naresh Agarwal
- (ii) Address of the existing office / residence of the complainant :
- (iii) Address of the service of all notice : Shri Naresh Agarwal

716 Lake Gardens
Kolkata 700045

2. Particulars of the respondents:

- (i) Name(s) of the respondent : Ideal Real Estates Pvt. Ltd.
- (ii) Office address of the respondent : Mouza Mahishbathan & Thakdari, Ward No. 28, Bidhannagar Municipal Corporation,,North 24-Parganas,Bidhannagar Municipal Corporation Bidhannagar (East),West Bengal,700102
- (iii) Address for service of all notices : Ideal Real Estates Pvt Ltd

11th Floor
50, Jawahar Lal Nehru Road
Kolkata 700071

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:

PI refer Annexure 1

(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. Interest calculated @ 2% above the prevailing Prime Lending Rate of State Bank of India in terms of Rules 18 and 19 of the West Bengal Housing Industry Regulation Rule 2018.

ii. Prevailing Prime Lending of the said bank is 13.2.% per annum as per the website of State Bank of India .Web link is as under

<https://www.sbi.co.in/web/interest-rates/interest-rates/deposit-rates#main-content>

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iii. Till February 2020 the interest amounts to Rs 2032463/- (Rs twenty lacs thirty two thousand and four hundred and sixty three only) as demanded in mail dt 27-02-2020. PI refer annexure -7 and further interest till the date of possession

iv. Actions against the promoters for non fulfillment of Compliance of the conditions of Registration as specified in Registration Certificate no HIRA/P/NOR/2018/000192 dt 28th November 2018. PI refer to para 15,16 & 17 of the facts of the case so that other allottees don't suffer the way we did

(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:
none

Pending final decision on the complaint the complainant seeks issue of the following interim order:
none

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

7. Complainant not pending with any other court, etc:
This complaint is not pending at any other forum

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)

Annexure 5 Arrangement Letter

Annexure 1 Facts of the case

Annexure 10 Agreement for sale format

Annexure 2 Application Form

Annexure 3 Allotment Letter

Annexure 4 Tripartite Agreement

Annexure 6 Agreement for sale (part)

Annexure 6a Agreement for sale (remaining part)

Annexure 7 Ledger account

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Annexure 8

Annexure 9 Request for payment of Interest

Verification

I Naresh Agarwal son / daughter of Late N.L. Agarwal 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 : 01 - 09 - 2020

Naresh K Agarwal.

Signature of the applicant(s)