

**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 : 9/6/2021

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

Complaint No. : COM000775

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

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

**IN THE HOUSING INDUSTRY REGULATORY AUTHORITIES OFFICE**

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

Between

DAULY MISHRA Complainant(s)

And

Patther Ppanchali Phase 1 Respondent(s)

**Details of claim :**

1. Particulars of the complainant(s) :

(i) Name of the complainant : DAULY MISHRA

(ii) Address of the existing office / residence of the complainant : W/O - SANJEEV KUMAR MISHRA F5- 203  
SUGAM PARK, 195 N S C BOSE ROAD RAJPUR SONARPUR, South 24-Parganas, Rajpur Sonarpur, Sonapur,  
700103

(iii) Address of the service of all notice : SAME

2. Particulars of the respondents:

(i) Name(s) of the respondent : Patther Ppanchali Phase 1

(ii) Office address of the respondent : 580, Kalu Khan Road Beside Monginis Factory, South  
24-Parganas, Sonarpur Sonapur, West Bengal, 700154

(iii) Address for service of all notices : 1. Mr Amitabha Roy

C/o - Team Taurus

Merlin Infinite DN-51, 51, Suite # 610 6th Floor, Salt Lake Bypass, DN Block, Sector V, Bidhannagar, Kolkata, West  
Bengal 700091

2. Mr Amitabha Roy

3-A ,P-35, Motijheel Avenue, Kolkata - 700074

3. REFRESH VINTRADE PRIVATE LIMITED DIRECTOR - BAPI DHALI AND SHAIKH JAKIR ALI

C/O PARTHO DUTTA BHOWMICK, BORAL MAJHER PARA, NEAR ARUP ELECTRICALS, RAJPUR, SONARPUR,  
KOLKATA Parganas South WB 7001

4. DINABANDHU NARU S/O LATE HARIPADA NARU

POST OFFICE BONHOOGHLY, VILL- BALRAMPUR, KOLKATA 700103

5. MUSA LASKAR ,POST OFFICE BONHOOGHLY, VILL- PASCHIM SRIPUR, KOL 31

3. Jurisdiction of the Authority : South 24-Parganas

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

I BOOKED A FLAT ON 07 AUGUST 2013 IN THE ABOVE MENTIONED PROJECT THROUGH THE  
BROKER MR SAJAL ROY PARTER OF BINA REALTORS LLP ( FORMELY KNOWN AS BINA REALTORS PVT  
LTD ). I PAID RS 2,11,000 /- AS TOKEN ADVANCE THROUGH CHEQUE NO 000017 DATED 07/08/2013

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DRAWN ON KOTAK MAHINDRA BANK ( COPY OF MONEY RECEIPT IS ENCLOSED FOR YOUR REFERENCE ). THE DETAIL OF THE FLAT IS BEING FLAT NO A304 IN BLOCK A,3RD FLOOR WITH THE AREA OF 1167 SQ FT AT RATE OF RS 1500 /- PER SQUARE FEET.TOTAL VALUE OF FLAT WAS 17,50,500 /- AND A COVERED CAR PARKING AT RS 2,00,000 /- TOTAL AMOUNTED TO RS 19,50,500 /-.ON 12 TH AUGUST 2013 I AGAIN PAID RS 15,00,000 ( RUPEES FIFTEEN LAKH ONLY ) BY CHEQUE NO 000018 DATED 12.08.2013 DRAWN ON KOTAK MAHINDRA BANK. ON 30TH NOVEMBER 2013 A SALE AGREEMENT WAS DONE STATING THAT THE FLAT WILL BE DELIVER BY OCTOBER 2016.THE AGREEMENT WAS SIGNED BY RELATORS GROUP WHO WAS CLAIMED THEMSELF AS THE LAND OWNER. ON 21.01.2021 I PAID THE FULL AND FINAL BALNCE AMOUNT OF RS 2,39,500 ( RUPEES TWO LAKH THIRTY NINE THOUSAND FIVE HUNDRED ) BY CHEQUE NO 000024 DATED 21ST JANURAY 2014 DRAWN ON KOTAK MAHINDRA BANK..TILL DATE THE CONSTRUCTION IS NOT COMPLETED. AFTER THE SEVERAL VERBAL REMINDER AND FOLLOW UP OVER PHONE TO THE DEVELOPER ( M/S SONARTORI PROJECT & TEAM TAURUS ) THEY WERE ALWAYS MAKE A FALSE PROMISE TO DELIVER BUT FAILED . CIVIL WORK IS STILL NOT COMPLETED.THERE ARE NO PROGRESS FROM LAST THREE YEARS.

(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 WAS SUFFERED FROM MENTAL AND FINANCIAL HARRASMENT. SO I WANT MY ENTIRE INVESTMENT BACK WITH THE INTEREST OR DEVELOPER HAS TO PROVIDE OTHER READY TO MOVE FLAT IN OTHER PROPERTY WITHIN THE KOLKATA OR NEAR BY AT THE SAME RATE

(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:

DEVELOPER HAS TO PROVIDE OTHER READY TO MOVE FLAT IN OTHER PROPERTY WITHIN THE KOLKATA OR NEAR BY AT THE SAME RATE

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)

BANK STATEMENT

CURRENT PICTURE OF FLAT

HIRA CERTIFICATE

MONEY RECEIPT 15 LAKH

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MONEY RECEIPT 2.11

MONEY RECEIPT 239500

PARTNERSHIP DEED OF SONAR TORI

POWER OF ATTORNEY

SALE AGREEMENT

Verification

I DAULY MISHRA son / daughter of NEEL MADHAB MISHRA 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 : 06/09/21

*Dauly Mishra*

Signature of the applicant(s)