

**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 : 3/6/2021

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

Complaint No. : COM000672

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

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

**IN THE HOUSING INDUSTRY REGULATORY AUTHORITIES OFFICE**

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

Between

Dr. Arunabha Sarkar                      Complainant(s)

And

Greentech IT City Pvt. Ltd.                      Respondent(s)

**Details of claim :**

1. Particulars of the complainant(s) :

- (i) Name of the complainant : Dr. Arunabha Sarkar
- (ii) Address of the existing office / residence of the complainant :
- (iii) Address of the service of all notice : 29/H, Nakuleswar Bhattacharya Lane, Kolkata - 700026

2. Particulars of the respondents:

- (i) Name(s) of the respondent : Greentech IT City Pvt. Ltd.
- (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

3. 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:

Agreement for sale dated 14.03.2015 between Greentech IT City Pvt. Ltd. and Mrs. Devaleena Sinha and Mr. Arunabha Sarkar for Smart Home Residency 2 Unit C5 Block 3 was executed. In addition, supplementary agreement dated 16.03.2015 for subvention of interest payable by the applicants on the housing loan taken by them was guaranteed by the builder. This agreement envisaged that the builder will pay the accrued interest on the housing loan till date of possession. The date of possession as per sale agreement is 15.03.2017 with a grace period of 6 months, thus the latest date by which possession should have been given was 15.09.2017.

(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) :

- 1. Immediate payment of overdue interest by the builder on the housing loan as per terms of subvention agreement.
- 2. Completion and handing over possession of the unit.
- 3. Compensation for delay in possession from 15.09.2017.

(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:

Yes

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Pending final decision on the complaint the complainant seeks issue of the following interim order:

Immediate payment of overdue interest by the builder on the housing loan as per terms of subvention agreement.

(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

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

Agreement for Sale

Subvention Agreement

**Verification**

I Dr. Arunabha Sarkar son / daughter of Late Ajit Kumar Sarkar 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 :** 06.03.2021



**Signature of the applicant(s)**