

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 : 12/15/2020

Date of receipt by post : _____

Complaint No. : COM000568

Signature : _____

Authorized Officer : _____

IN THE HOUSING INDUSTRY REGULATORY AUTHORITIES OFFICE

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

Between

ATANU DATTA Complainant(s)

And

RIVERBANK DEVELOPERS PRIVATE LIMITED Respondent(s)

Details of claim :

1. Particulars of the complainant(s) :

(i) Name of the complainant : ATANU DATTA

(ii) Address of the existing office / residence of the complainant :

(iii) Address of the service of all notice : Flat 15, Gitanjali apartment, 21B RBC Road,
Barasat, Kolkata-700124

2. Particulars of the respondents:

(i) Name(s) of the respondent : RIVERBANK DEVELOPERS PRIVATE LIMITED

(ii) Office address of the respondent : Calcutta Riverside, 1 New Bata Road, Batanagar, Maheshtala, South
24-Parganas, Thakurpukur Maheshtala, West Bengal, 700140

(iii) Address for service of all notices : 225 AJC BOSE ROAD, 4TH FLOOR, KOLKATA-700020

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 have booked a flat at Hiland Greens phase II that is 6A5, Tower-9 of 712 Sq.Ft SBU in the month of Feb 2014 the flat was allotted on 14.07.2014 and was supposed to hand over after 42 months, which ends on 28.02.18 but the Developer did not hand over, total amount paid to the Developer is Rs. 21,43,718/- (Rupees twenty one lakh forty three thousand seven hundred eighteen). The Builder failed to deliver in time and I have requested for refund but the Developer did not. The last cancellation letter sent to Developer was on 12.08.2020 and in response they have sent

a cancellation confirmation dated 13.10.2020 after huge deduction of Rs.3,80,107/- and agreed for payment Rs 17,63,611/-

(Rupees seventeen lakh sixty three thousand six hundred eleven) without any fault of mine. At present the developer's

office has denied any payment. As they are supposed to pay the refund within sixty days from date of cancellation that is also over. I am retired senior citizen and unable to withstand such loss so a remedial action is solicited.

(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) :

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1. Refund immediately the total amount paid by me without any deduction tax is Rs. 21,43,718/-
2. Compensation for the delayed period from March 2018 to November 2020 that is 33 months till date @ 12.50 per month per Sq. Ft. that is Rs. 8900/- per month for 33 months equals to Rs. 2,93,700/- Total amount payable equals to Rs. 24,37,418.

(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: .No

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

(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)

Cancellation letter by Developer

Refusal of Compensation by Developer

Verification

I ATANU DATTA son / daughter of LT. RABINDRA MOHAN DATTA 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 : Barasat

Date : 15.12.2020

Atanu Datta
Signature of the applicant(s)