

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 : 4/11/2021

Date of receipt by post : _____

Complaint No. : COM000712

Signature : _____

Authorized Officer : _____

IN THE HOUSING INDUSTRY REGULATORY AUTHORITIES OFFICE
Calcutta Greens Commercial Complex (1st Floor), 105/2, Survey Park, Kolkata-700075

Between
Pankaj Rajak Complainant(s)
And
MKHS Housing LLP Respondent(s)

Details of claim :

- Particulars of the complainant(s):
 - Name of the complainant : Pankaj Rajak
 - Address of the existing office / residence of the complainant : Dreamland Enclave, Block - B/104 Kalkhali (Chirankote), North 24-Parganas, Bidhannagar Municipal Corporation, Airport, 700052
 - Address of the service of all notices :
- Particulars of the respondents:
 - Name(s) of the respondent : MKHS Housing LLP
 - Office address of the respondent : L.R. Khaitan No. 164/3, Mouza Bishnupur, J.L. No. 44, Police Station Rajarhat, Sub-Registration Office Rajarhat [formerly Bidhannagar (Salt Lake City)] within Rajarhat-Bishnupur 2 No. Gram Panchayat, District-North 24 Parganas, Rajarhat West Bengal-700135
 - Address for service of all notices :
- 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:

Respected Sir/Madam,
I booked a flat (Flat No. 7/F in Block 6) in The Rainforest Project on 2nd February 2015 developed by MKHS Housing LLP and at that time marketed by NK Realtors. All including I made a payment of Rs. 10,39,390/- (Ten Lakhs thirty-nine thousand three hundred and ninety rupees) including applicable taxes and legal fees of Rs. 22,800/- (twenty-two thousand and eight hundred rupees) in account of V C Agarwal & Company. The application reference no. with MKHS Housing LLP is MKHS/0070/2014-2015. As per the property agreement, the completed property was supposed to be handed over by December 2019 and the extended period is December 2020. However, I found that not a single brick has been laid for the construction of the Block 6 and as last visited in Jan 2021, I saw the area is full of grass. During these 6 years (since 2015 till date) I have been trying to gauge the progress of the said property but there has been no convincing update from MKHS Housing LLP. I have also lodged a FIR against the builder. I am attaching scanned copies of following Documents for your reference.

- Allotment Letter
- Booking Payment Receipt
- 2nd Payment Receipt
- Legal Fees Receipt
- Schedule Cost&Charges
- Booking Greetings
- Intimation for Execution of Sale Agreement
- Sale Agreement

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9. FIR
10. PAN
11. Aadhaar

(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) :
Rather handover, the construction of Block 6 was not even started even in the extended period of December 2020. I would kindly request the refund as per WB-HIRA-Act-2017 of my hard-earned money of Rs. 10,39,390/- (Ten Lakhs thirty-nine thousand three hundred and ninety rupees) paid against MKHS Housing LLP along with the interest amount at annual interest rate of 12%. They sold people's dream and played with their hopes, they should not be allowed to wash their sins in name of the pandemic. Your help and cooperation in this matter is highly solicited. Thank you in anticipation.
Your faithfully
Pankaj Rajak

(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:

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)

2nd Payment Receipt

Aadhaar

Allotment Letter

Booking Greetings

Booking Payment Receipt

FIR

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Intimation for Execution of Sale Agreement

Legal Fees Receipt

PAN

Sale Agreement

Schedule Cost&Charges

Verification

I Pankaj Rajak son / daughter of Mihir Kumar Rajak 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: 11/04/2021

Pankaj Rajak
Signature of the applicant(s)