

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 : 4/27/2021

Date of receipt by post : _____

Complaint No. : COM000727

Signature : _____

Authorized Officer : _____

IN THE HOUSING INDUSTRY REGULATORY AUTHORITIES OFFICE

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

Between
Anindita Dey Complainant(s)
And
Suvendu Bera Respondent(s)

Details of claim :

1. Particulars of the complainant(s) :

- (i) Name of the complainant : Anindita Dey
- (ii) Address of the existing office / residence of the complainant : 3398,DPK HOUSING COMPLEX, NAYABAD Mukundapur, Kolkata, Kolkata, Purba Jadavpur, 700099
- (iii) Address of the service of all notice : Lakeview, Flat No.B4 3398,DPK HOUSING COMPLEX, NAYABAD Mukundapur India

2. Particulars of the respondents:

- (i) Name(s) of the respondent : Suvendu Bera
- (ii) Office address of the respondent : 19B, Dharmatala Road
- (iii) Address for service of all notices : 19B, Dharmatala Road, Kasba, Kolkata-700099 42

3. Jurisdiction of the Authority : Kolkata

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

The promoter has sold me a residential flat with car parking space without proper demarcation of egress-ingress path in the registered deed of conveyance being No.B-4 of the G+4 storied building at premises No. 3398, Nayabad, P.S Panchasayar in the Dist of South 24 Paraganas within the Jurisdiction of Kolkata Municipal Corporation Ward No.109, under the jurisdiction of the Kolkata Municipal Corporation from you vide Book-I, Volume number 1606-2018, Page from 71108 to 71134 being No 160602127 for the year 2018 dated 23.05.2018. The flat owner of A3 belongs to aforesaid building namely Mr Biswaranjan Banerjee has encroached my car parking space with effect from 11.04.2021. Parking area of Mr. Banerjee is at the backside of my car parking space. The Promoter have failed to show and document the egress-ingress path to him as well which has created this unwanted dispute.

My car has crossed by three feet from the cantilever and it is under the open sky, consequently the building gate could not be closed and the security of the building has been breached since my car is being left open to other consequential damages.

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5. Relief(s)

In view of the facts mentioned in paragraph 4 above, the complainant prays for the following relief(s) :

In view of the aforesaid fact and circumstances I do hereby call upon The Promoter to immediately arrange to demarcate and indicate egress-ingress pathway of each and every car parking space inside the building with floor paint so that in near future we never have to face this kind of disputes again.

Demarcate the Car Parking spaces measuring about 120 sq.ft as per the Registered Deed.

(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:

The Promoter to immediately arrange to demarcate and indicate egress-ingress pathway of my car parking space measuring about 120 sq.ft inside the building with floor paint as per the Registered Deed.

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:

Complain is not pending with any other court.

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)

Car Parking Plan

Present Parking Position

Verification

I **Anindita Dey** son / daughter of **Utpal Bose** 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 : 27-04-21

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Anindita Dey