

COMPLAINT TO AUTHORITY
Complaint under section 31 of the Act

For use of Authority(s) office :

Date of filing : 7/29/2020

Date of receipt by post : _____

Complaint No. : COM000430

Signature : _____

Authorized Officer : _____

IN THE HOUSING INDUSTRY REGULATORY AUTHORITIES OFFICE

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

Between

Abhijit Saha Complainant(s)

And

Ideal Real Estates Pvt. Ltd. Respondent(s)

Details of claim :

1. Particulars of the complainant(s) :

(i) Name of the complainant : Abhijit Saha

(ii) Address of the existing office / residence of the complainant : South City, Tower 3, Flat 20 C 375 Prince Anwar Shah Road, Kolkata, Kolkata, Jadavpur, 700068

(iii) Address of the service of all notice : South City, Tower 3, Flat 20 C 375 Prince Anwar Shah Road

2. Particulars of the respondents:

(i) Name(s) of the respondent : Ideal Real Estates Pvt. Ltd.

(ii) Office address of the respondent : Mouza Mahishbathan & Thakdari, Ward No. 28, Bidhannagar Municipal Corporation,,North 24-Parganas,Bidhannagar Municipal Corporation Bidhannagar (East),West Bengal,700102

(iii) Address for service of all notices : Ideal Real Estates Pvt. Limited
50 Jawahar Lal Nehru Road
Kolkata - 700071

3. 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:

We have booked apartment (Flat 3B, Block Barbet & parking space B-136) in Idea Aquaview Project vide an agreement, dated 15th of May 2014, and was supposed to receive possession by end of December 2017, but till after one year of grace period we have not received possession of the said property. We have already paid 90% of the payment by 2017.

I executed our right for cancellation on 15th March 2019 as per the clause 12.3 of the signed agreement, dated 15th of May 2014, between us & ideal real estate pvt limited & other owners and requested to cancel our booking of the said apartment & process refund of the total amount paid with @12% interest calculated from the date of payment of each installment within 30 days of receipt of the intimation.

Unfortunately even after multiple email communication there has not been any response received from ideal . I want the early resolution and refund for my amount with interest.

(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) :

There has not been any legal case till now. Only a legal letter was sent to Ideal on 25th July , 2019

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(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)

Cancellation Request

Follow up email 1

follow up email 2

legal letter

Signed Agreement

Verification

I **Abhijit Saha** son / daughter of **Adhir Kumar Saha** 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 : 29/07/2020

Abhijit Saha

Signature of the applicant(s)