

COMPLAINT TO AUTHORITY
Complaint under section 31 of the Act

For use of Authority(s) office :

Date of filing : 9/3/2020

Date of receipt by post : _____

Complaint No. : COM000485

Signature : _____

Authorized Officer : _____

IN THE HOUSING INDUSTRY REGULATORY AUTHORITIES OFFICE

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

Between

Soumavo Roy Complainant(s)

And

Bengal Shapoorji Housing Development Pvt Ltd Respondent(s)

Details of claim :

1. Particulars of the complainant(s) :

(i) Name of the complainant : Soumavo Roy

(ii) Address of the existing office / residence of the complainant : 1/16, Madhusudan Dutta Path Sail Cooperative, City Center, Paschim Bardhaman, Durgapur Municipal Corporation, Durgapur PS, 713216

(iii) Address of the service of all notice : Flat 2D, Block 7 , Srijan Heritage Enclave, 345, Rajarhat Main Road, Atghara Kolkata- 700136

2. Particulars of the respondents:

(i) Name(s) of the respondent : Bengal Shapoorji Housing Development Pvt Ltd

(ii) Office address of the respondent : Shukhobrishti Spriha Plot no. E1 & E2, North 24-Parganas, Rajarhat New Town, West Bengal, 700156

(iii) Address for service of all notices : Bengal Shapoorji Housing Development Pvt Ltd

P S Srijan Corporate Park

Unit # 0903, 9th Floor, Tower-I

Plot No. G 2, Block - GP, Sector-V

Salt Lake, Kolkata-700091

E-mail: kolkata.masshousing@shapoorji.com

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:

I have applied for Flat in Shukhobrishti Phase 6, the largest mass housing project in the country, developed by Bengal Shapoorji Housing Development Pvt. Ltd. - a group company of Shapoorji Pallonji And Company Private Limited. In the lottery conducted by them, I was allotted a 3BHK flat (Spriha) as per their Allotment letter (enclosed here) dated 05.09.2016. I have proceeded with completing all the formalities for confirming the flat and since then have payed all the amounts, as and when required by BSHDPL. As per the GTC of the application (enclosed here), BSHDPL is supposed to hand over the flat within 36 Months from the date of allotment of the apartments as and when ready for possession. Since then almost 12 months have passed from the due date of the handover of the flat which was 04.09.2019, I haven't received possession of the flat.

Post the due date, multiple times I have tried to contact BSHDPL asking them about the probable date of complete handover of the flat. But they have never provided any written documents to me about the extent of delay of handover of the flat. Also there is no indication/communication from BSHDPL to provide possession of the flat soon.

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(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) :
So, with this complaint, I want:

1. BSHDPL to provide me an official written document which would contain date of handover of my flat.
2. Compensation for the delay in handover of the flat , sufficient enough, till the day they provide the possession of the flat.

(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)

Acknowledgement for Document Submission

Acknowledgement of 1st Installment

Acknowledgement of 2nd Installment

Allotment Letter

Allotment Letter with Signature

GTC of Phase 6

Initiation for Document Submission

Money Receipt of Allotment Money

Xerox of Identity Proof

FORM 'J'
See rule 36(1)


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Verification

I **Soumavo Roy** son / daughter of **Sanjib Chandra Roy** 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 : 03/09/2020


Signature of the applicant(s)