

COMPLAINT TO AUTHORITY
Complaint under section 31 of the Act

For use of Authority(s) office :

Date of filing : 10/24/2020

Date of receipt by post : _____

Complaint No. : COM000536

Signature : _____

Authorized Officer : _____

IN THE HOUSING INDUSTRY REGULATORY AUTHORITIES OFFICE

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

Between

Soumya Chatterjee Complainant(s)

And

IDEAL AURUM NIRMAN LLP Respondent(s)

Details of claim :

1. Particulars of the complainant(s) :

- (i) Name of the complainant : Soumya Chatterjee
- (ii) Address of the existing office / residence of the complainant :
- (iii) Address of the service of all notice : Lalbazar, Post Office - Dubrajpur, District - Birbhum, PIN - 731123

2. Particulars of the respondents:

- (i) Name(s) of the respondent : IDEAL AURUM NIRMAN LLP
- (ii) Office address of the respondent : 162, SONARPUR STATION ROAD DAKHIN KUMRAKHALI, NARENDRAPUR, KOLKATA, South 24-Parganas, Sonarpur Sonapur, West Bengal, 700103
- (iii) Address for service of all notices : 162, Sonarpur Station Road Dakhin Kumrakhal, Narendrapur, Kolkata, South 24- Parganas, Sonarpur, West Bengal - 700103

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:

a) That, I have booked a Flat in the project of Ideal Aurum Nirman LLP Flat/ Apartment in the said project at Block No- ENCHANT, Flat No- 2A (TWO A), Floor No. 2A, Carpet Area - 782 Sq.Ft., Balcony area - 30 Sq.ft, Sealable area - 1175 Sq.ft and a space for one car parking at basement at IDEAL AURUM, Mouza - Kumar Khali, P.S - Sonarpur, District - South 24 Parganas, PIN - 700103 and consideration amount was settled and finalized with Ideal Aurum Nirman LLP with the amount of Rs. 41,62,500/- .b) That, the IDEal Aurum Nirman LLP for Booking and i had to issue a cheque immediately in favor of the IDEal Aurum Nirman LLP for booking and I had to issue a cheque with the amount of Rs. 4,20,413/- dated 19.07.2019 being cheque no. "189622" (Axis Bank Ltd.) in favor of the said IDEal Aurum Nirman LLP without any written Agreement for Sale and thereafter I had to issue a cheque of Rs.1,00,000/- again to the IDEal Aurum Nirman LLP dated 17.09.2019 being cheque no. "189624" and it is pertinent to say that by the two installments I had paid sum of Rs. 5,20,413/- and an ' Allotment Letter' was issued in my favor.c) That, on 22.09.2019 a Legal Notice was published in the daily newspaper ' Times of India' by one Debasis Chakraborti, Learned Advocate, Baruipur Civil Court. The said Notice was given to public at large and where from I came to know that, as suit for specific performance being T.S No. 79 of 2004 (Presently T.S No. 73 of 2017) pending in the court of Learned Civil Judge, Baruipur, South 24 parganas for it's adjudication.d) That, thereafter i have made communication to the several persons of the Ideal Aurum Nirman LLP, with a request to return the aforesaid amount of Rs. 5,20,413/- and cancel my said bookings of flat.h) That, I further say that by virtue of the aforesaid Legal Notice i came to learn that the aforesaid title of the land is defective and decided to cancel my said booking of flat and to get back return my deposited booking amount of Rs.5,20,413/-

FORM 'J'
See rule 36(1)

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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) :

The complainant is praying for a direction upon the Respondent to pay the amount of Rs. 5,20,413/- alongwith compensation and interest in accordance with law, forthwith and /or to cancel the booking of the aforesaid 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:

Respondent may be directed to pay the amount of rs. 5,20,413/- forthwith.

Pending final decision on the complaint the complainant seeks issue of the following interim order:
As the regulatory authority may deem fit and proper.

(Give here the nature of the interim order prayed for with reasons)

7. Complainant not pending with any other court, etc:

Prior to this application the complainant did not file any application and/or compliant in any of law.

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)

Legal Notice Published In Daily News Paper

PAYMENT RECEIPT

Price Details

Purchaser Information Sheet

Representation Duly served, It's tracking Id

Representation Made By Complainant

FORM 'J'
See rule 36(1)

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Verification

I **Soumya Chatterjee** son / daughter of **Asispurna Chatterjee** 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 : *Garia*

Date : *26/10/2020*

Soumya Chatterjee
Signature of the applicant(s)