

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 : 9/4/2020

Date of receipt by post : _____

Complaint No. : COM000486

Signature : _____

Authorized Officer : _____

IN THE HOUSING INDUSTRY REGULATORY AUTHORITIES OFFICE

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

Between
ASHUTOSH MAZUMDAR Complainant(s)
And
RIVERBANK DEVELOPERS PRIVATE LIMITED (HILAND)
Respondent(s)

Details of claim :

- Particulars of the complainant(s) :
 - Name of the complainant : ASHUTOSH MAZUMDAR
 - Address of the existing office / residence of the complainant : 6/125, KANISHKA ROAD, A-ZONE, BEHIND DHANDABAG BUS STOP, POST - DURGAPUR, Paschim Bardhaman, Durgapur Municipal Corporation, A-Zone TOP(Durgapur), 713204
 - Address of the service of all notice : 6/125, KANISHKA ROAD A-ZONE, BEHIND DHANDABAG BUS STOP POST - DURGAPUR PIN 713204
- Particulars of the respondents:
 - Name(s) of the respondent : RIVERBANK DEVELOPERS PRIVATE LIMITED (HILAND)
 - Office address of the respondent : Calcutta Riverside, 1 New Bata Road, Bata Nagar, Maheshtala, South 24-Parganas, West Bengal - 700140
 - Address for service of all notices : 225C, ACHARYA JAGADISH CHANDRA (AJC) BOSE ROAD, 4TH FLOOR, KOLKATA, West Bengal - 700020
- Jurisdiction of the Authority : South 24-Parganas
- The complainant declares that the subject matter of the claim falls within the jurisdiction of the Authority. Facts of the case:
 - That I, Ashutosh Mazumdar (aged 66) along with my wife, Smt. Chandana Mazumdar (aged 64), are the joint allottees in Hiland Greens, Ph-2 project.
 - That we (myself and my wife) paid an amount of Rs. 50,000 in 14th February 2014 towards application money. We were allotted Unit 4A1, 4th Floor at Tower 10 of the aforementioned project in June 2014.
 - That I retired in the month of November 2014, post completing my service tenure in Durgapur Steel Plant (DSP), Durgapur and do not get any pension.
 - That I invested a major share of my retirement savings into the aforementioned project, on the basis of good faith that the handover would be given within 42 months from the date of allotment (i.e. 2018 beginning), as mentioned in agreement T&C. And that all payments were made in due timelines.

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5- That Riverbank Developers Pvt. Ltd. (Hiland) failed to honor its timeline and the project handover is now more than 2 years behind schedule.

6- That we contacted Hiland /RDPL several times since Feb 2020 including their Senior Management in Aug 2020, but did not get any suitable response in this matter.

7- That we are financially affected and the above reasons have caused mental stress to us.

(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) :

We seek to be refunded the full amount that we had paid i.e. Rs. 22,63,766/- (Twenty Two Lacs Sixty Three Thousand and Seven Hundred Sixty Six) along with interest as stipulated by the Regulatory Authority.

(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:

We seek an amount of Rs. 10,00,000 or as deemed appropriate by the Authority, in order to address our immediate needs & regain financial independence.

Pending final decision on the complaint the complainant seeks issue of the following interim order:

We seek an amount of Rs. 10,00,000 or as deemed appropriate by the Authority, in order to address our immediate needs & regain financial independence.

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

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

We declare that this matter is not pending before any court of law or any other authority or tribunal(s).

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)

Payments made, Sale agreement, Receipts & Mail conversation

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Verification

I ASHUTOSH MAZUMDAR son / daughter of LATE BIJOY MAZUMDAR 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 : DURGAPUR - 4.

Date : 05. 08. 2020.



Signature of the applicant(s)

2ND ATTORNEY

Chandana Mazumdar.