

Date: 24th August 2019

To,
The Secretary,

This is to state that I, **Ashish Saha**, S/O Sri Sambhunath Saha, resident of P778A, Block A , Lake-Town , Kolkata 700089,W.B. P.S. Lake-Town had come to know about a housing project "**Nestwood Maple**" launched and constructed by "**Nestwood Estates Pvt. Ltd.**" with their registered office at **Office Space No-306, 3rd Floor. PS IXL – Block A, Atghora, New Town, District :24 Parganas (N), Kolkata 700136** through the advertisements published in the leading daily newspapers.

I booked one self contained 2BHK flat measuring 856sq feet (appx.) @1850/sq ft . The consideration amount of the said flat was Rs. 15,83,000 and I made a payment for Rs. 2,37,540 (Two Lac thirty Seven thousand five Hundred and Forty only) by cheque drawn on ICICI Bank, Lake Town branch dated 29.06.2014 and was allotted flat no **C3** on the 3rd floor in **Tower no T25**

At the time to booking of the flat and making the payment, I was promised that the construction of the project would start by October 2014 and the possession of the flat will be given in the year 2019. After making the payment the company did not share any document related to the project and kept on citing various reasons for the delay in starting of the construction work.

Several visits were made of the company's office and several phone calls were made and each time I was assured that the construction will begin soon and I will be kept notified of the progress. Then in April 2015 on visiting their office I was informed that I will need to make the payment for the balance amount to cover the 20% payment of the apartment cost and then only the company will sign the Agreement for Sale for the above mentioned flat.

I made the 2nd payment for an amount of Rs.88,976 (Rupees Eighty Eight Thousand Nine Hundred and Seventy Six only) drawn on ICICI Bank, cheque dated 04.05.2015 . The total payment amount made to Nestwood Estates Pvt. Ltd. was Rs. 3,26,516 (Rupees Three Lac Twenty Six Thousand Five Hundred and Sixteen only).

Even after receiving the payment the company Nestwood Estates Pvt. Ltd. did not draw the Agreement for Sale . The company kept on insisting that they will draw the Agreement for Sale once the construction work starts .

When enquired about the construction status they kept on misinforming that the land conversion is in progress . Once the conversion is approved they said that the company have submitted the Construction plan to the local authority for approval

In march 2017 the company offered to move by booking into another housing project "**Gulmohar**" developed by **BACM Projects Pvt. Ltd.** With their registered office at 306, 3rd Floor, PS IXL, Block A, Atghora, New Town , Kolkata 700136 that was coming up in the same area where the construction for the project "**Nestwood Maple**" was supposed to happen. I agreed with the proposal as I was assured by "**Nestwood Estates Pvt. Ltd.** That the construction work for the new project "**Gulmohar**" would begin very soon and the project will be completed within 3years and the possession of the flat will be provided by the middle of the year 2020 and a Tri-party MoU was signed on 6th May 2017 between **M/S BACM Projects Pvt. Ltd.** Being the **First Part** , **Ashish Saha** being the **Second Part** and **M/S Nestwood Estates Pvt. Ltd.** being the **Third Part** (herein referred to and called as **CONFIRMING PARTY**) with the condition that Nestwood Estate Pvt. Ltd. will transfer payment amount received to the account of BACM Projects Pvt. Ltd. and will remain as the confirming party till the time the possession of the flat is given to me.

As the construction work did not start till the month of December 2018 , so I made an application to the Nestwood Estate Pvt. Ltd. for withdrawn of my booking and seeking refund on 29.12.2018

Nestwood Estates Pvt. Ltd. accepted the withdrawal notice and refunded me Rs 50,000 (Rupees Fifty Thousand only), when asked for further payment for the balance amount the company declined to make any further payment stating that they will not be able to refund the balance amount as the company does not have the fund. Various cheques issued by the company has been dishonoured with the reason "**Insufficient Fund**". Repeated calls made to the company's landline and even physical visits made to the company's office has not yield any result.

Under the above mentioned circumstances I would request the intervention of the Honourable Secretary WB HIRA to help resolve the issue and the refund for


my balance payment amount of Rs.2,76,516 (Rupees Two Lac Seventy Six Thousand Five Hundred and Sixteen) from M/S Nestwood Estates Pvt. Ltd.

Please find the scanned copies of the below mentioned documents attached for your kind perusal.

Document List :

1. Money Receipt (1)29.07.2014
2. Money Receipt (2)04.05.2015
3. Nestwood Maple Welcome Letter
4. Nestwood Maple Letter of Intent(1)
5. Nestwood Maple Letter of Intent(2)
6. Nestwood Gulmohar Introduced
7. Nestwood Refund Notice
8. Nestwood Refund Acceptance
9. MoU
10. Complaint Against Nestwood Estate Pvt. Ltd.

Regards



(Signature)

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