

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 : 12/20/2020

Date of receipt by post : \_\_\_\_\_

Complaint No. : COM000581

Signature : \_\_\_\_\_

Authorized Officer : \_\_\_\_\_

**IN THE HOUSING INDUSTRY REGULATORY AUTHORITIES OFFICE**

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

Between  
RAJESH KUMAR JHA                      Complainant(s)  
And  
Amitis Developers LLP                      Respondent(s)

**Details of claim :**

1. Particulars of the complainant(s) :

- (i) Name of the complainant : RAJESH KUMAR JHA
- (ii) Address of the existing office / residence of the complainant : DREAM ECO CITY MUCHIPARA TOWER-2, FLAT 8A, Paschim Bardhaman, Durgapur Municipal Corporation, Durgapur PS, 773212
- (iii) Address of the service of all notice : OLD COLONY CHITRA C2/3 DEOGHAR JHARKHAND PIN 815351

2. Particulars of the respondents:

- (i) Name(s) of the respondent : Amitis Developers LLP
- (ii) Office address of the respondent : "GODREJ SE7EN", P.O. & P.S. Bishnupur, Diamond Harbour Road Near Pailan, Joka, Kolkata, South 24-Parganas, Bishnupur - I Bishnupur, West Bengal, 700104
- (iii) Address for service of all notices : PLOT NO DP5, TOWER 2, UNIT NO 109, GODREJ WATER SIDE BUILDING, SALT LAKE CITY SECTOR 5, KOLKATA- 700091

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:

On 9 Oct 2020 Mr Jitendra Datta convinced me to book a flat/ unite code G7P1B1U1004 and for transferring of money online of Rs 245888 without stating the dark part of terms and conditions. I am not informed the booking teams and conditions before transfer of money.

On 15 oct he has sent me the booking kit with booking form. I have read the form and found many unacceptable terms and conditions are printed in it. I marked not agree on unaccepted teams and conditions for further processing and I submitted the form on 24 oct 2020 .

After that Mr Debasis bhomic has sent me allotment letter on 28 oct 2020. I again strongly condemned the clause of Allotment letter 5(ii) not accepting the forfeit of money in case of cancellation of apartment.

After that Mr Subhjeet sarkar has sent me Draft agreement and quarry slips for stamp duty payment on 28 Nov 2020

I have read the draft agreement and found unaccepted clause has again submitted in draft agreement of clause no 7.5.

I have again condemned the clause no 7.5 of draft for correction on 30 Nov 2020 clearly marked that if you process for further then it should be under stood that you are satisfied with my opinion, terms and conditions of booking.

*Plz*  
20/12/2020

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returned from the registry office without fruitful work .

I want the following corrections:

Correction required in draft agreement:

- (i) clause 7.5: no money should be forfeited if cancellation has done in case of death of earning members or termination of job of earning members.
- (ii) In draft agreement it has written only one parkin will be allotted, but booking teams clearly stated open car parking of independent type near the block should be allotted
- If correction have not possible by the promotor then they are responsible for this dispute and they have to refund total amount including stamp duty, interest and other costs processing up to Kolkata.
- Many mails have sent by me to them but I have not received any reply in respect to this teams and conditions

(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) :

1. SALE AGREEMENT WITH CORRECTION  
2. IF CORRECTION WILL NOT DONE THEN RETURN OF TOTAL MONEY INCLUDING STAMP DUTY WITH INTEREST AND COMPENSATION

(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:  
NO

Pending final decision on the complaint the complainant seeks issue of the following interim order:  
NO

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

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

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)

ALLOTMENT LETTER

BOOKING FORM

Money receipt

*Allen*  
20/12/2020

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Verification

I RAJESH KUMAR JHA son / daughter of RAJ NARAYAN JHA 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 : *chitra*

Date : *20/12/2020*

*Rajesh*  
*20/12/2020*

Signature of the applicant(s)