

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 : 9/6/2020

Date of receipt by post : _____

Complaint No. : COM000490

Signature : _____

Authorized Officer : _____

IN THE HOUSING INDUSTRY REGULATORY AUTHORITIES OFFICE

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

Between
Dr Sanjoy Kumar Bhattacharyya Complainant(s)
And
MKHS Housing LLP Respondent(s)

Details of claim :

1. Particulars of the complainant(s) :

- (i) Name of the complainant : Dr Sanjoy Kumar Bhattacharyya
- (ii) Address of the existing office / residence of the complainant :
- (iii) Address of the service of all notice : 17 Naktala Road

Kolkata
700047

2. Particulars of the respondents:

- (i) Name(s) of the respondent : MKHS Housing LLP
- (ii) Office address of the respondent : , L.R. Khatian No. 164/3, Mouza Bishnupur, J.L. No. 44, Police Station Rajarhat, Sub-Registration Office Rajarhat [formerly Bidhannagar (Salt Lake City)] within Rajarhat-Bishnupur 2 No. Gram Panchayat, District North 24 Parganas., North 24-Parganas, Rajarhat Rajarhat, West Bengal, 700135
- (iii) Address for service of all notices : Registered office
6 Abanindra nath Thakur sarani[Camac Street], Fort Knox Building, 2 nd Floor, Room No 204, Kolkata- 700017
Corporate office
Between Gate no. 1 and 2. Salt lake Stadium, Salt lake City, Kolkata 700098, West Bengal

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 booked a flat [Block 6, Floor 11, Type B] in this project in April 2014 and an agreement was signed among us to hand over the flat on December 2019 , which can be extended for one year in odd circumstances. An amount of Rs 731768 was paid by me during the agreement along with 11450 as documentation fees for the said agreement. Till date, no communication I have received from their side since last four years and on personal visit before two weeks to the site I have found ,not even the base construction was done. On repeated query, they didn't answer any of the questions and only put false assurances. I have already purchased a flat else where one year back founding no hope in this project and want to quit from this project.

(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 agreement clearly states the handover date on December 2019 which can be extendable for one year, but still now there is not even HIRA registration. . I I wan to get back the money with interest as I am now not in a position to stay there after 3 or 4 years, even if the project get a permission, due to my age and present

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circumstances

(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:
Want to get back a monthly financial sum equivalent to the rent of a similar flat in Rajarhat

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

I was supposed to get a flat on 2019 from MKHS Housing ,but not receiving the same,I have to purchase with bank loan another flat elsewhere in 2019 for my stay.
If through interim order, I can receive an amount equivalent to rent of similar flat, I can pay part of my EMI of present flat .

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

7. Complainant not pending with any other court, etc:
The complaint made here is not pending before any court of law or any other authority or tribunal.

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)

Money receipt

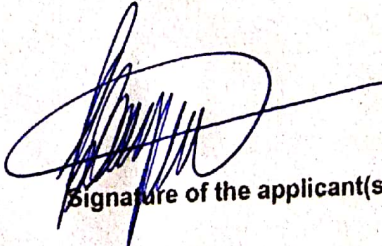
Second page of agreement, Allotment letter, money receipt

Verification

I Dr Sanjoy Kumar Bhattacharyya son / daughter of M R Bhattacharyya 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 : 06/09/2020


Signature of the applicant(s)