

COMPLAINT TO AUTHORITY
Complaint under section 31 of the Act

For use of Authority(s) office :

Date of filing : 2/17/2021

Date of receipt by post : _____

Complaint No. : COM000649

Signature : _____

Authorized Officer : _____

Sanjeev Seal

IN THE HOUSING INDUSTRY REGULATORY AUTHORITIES OFFICE
Calcutta Greens Commercial Complex (1st Floor), 1050/2, Survey Park, Kolkata-700075

Between
Sanjeev Seal Complainant(s)
And
Evanie Infrastructure Private Limited Respondent(s)

Details of claim :

- Particulars of the complainant(s)
 - Name of the complainant : Sanjeev Seal
 - Address of the existing office / residence of the complainant
 - Address of the service of all notice : P-36, 114 A, Prince Anwar Shah Road, Lake Garden, Post Office, Lake Garden, P.S. Lake Garden, Dist. Kolkata, Pin 700045.
- Particulars of the respondents
 - Name(s) of the respondent : Evanie Infrastructure Private Limited
 - Office address of the respondent : "594/1 Dakshindari Road, "Bima Abasan" flat no. E2/1, 1ST FLOOR, P.O SREEBHUMI, P.S LAKE TOWN, Dist. South 24 parganas, Pin -700048."
 - Address for service of all notices : 594/1 Dakshindari Road, "Bima Abasan" flat no. E2/1, 1ST FLOOR, P.O SREEBHUMI, P.S LAKE TOWN, Dist. South 24 parganas, Pin -700048.
- Jurisdiction of the Authority : WEST BENGAL
- The complainant declares that the subject matter of the claim falls within the jurisdiction of the Authority. Facts of the case:
 - That complaints have booked a flat by the Agreement for sale dated 13.8.2018 of the total area of 906.25 sq. ft in the 3rd floor along with a parking in the housing complex "EVANIE ECONEST" located in the Rajarhat and has paid the total amount of Rs 20,20,866/-.
 - That the respondent company represented that all necessary permission for construction has been secured and the provision of the local law has been complied with. But the agreement for sale is not as per the Hira Act 2017 and rules.
 - That more than 2 years has been passed from the booking but project has been stand still. The complainant is a senior citizen and suffering from serious illness being a dialysis patient. The complainant asked for refund of the amount paid and non-payment of same has suffered miserably which amounts to unfair trade practice and gross "deficiency of service".

(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) :

- Direction upon the respondent for the Cancellation of the booking and refund all amount paid till date which is

FORM 'J'
See rule 36(1)

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- around Rs. 20,20,866/- along with the interest of 18% per annum till the realisation of full refund.
2. Direction upon the respondent for the payment of Rs. 3,00,000/- for the compensation
3. Litigation cost of Rs. 15000/-

(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:
Interim order against the respondent company for the refund all amount paid till date which is around Rs. 20,20,866/-

Pending final decision on the complaint the complainant seeks issue of the following interim order:
Interim order against the respondent company for the refund all amount paid till date which is around Rs. 20,20,866/-

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

7. Complainant not pending with any other court, etc:
NO

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)

AGREEMENT (16-27)

AGREEMENT (2-8)

AGREEMENT (9-15)

CONFIRMATION LETTER

LETTER AND REPLY

MONEY RECEIPTS

Sanjeev Arora

FORM 'J'
See rule 36(1)

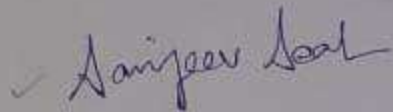
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Verification

I Sanjeev Seal son / daughter of Late Golok Seal 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: 17/02/2021



Signature of the applicant(s)