

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 : 3/15/2020

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

Complaint No. : COM000348

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

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

IN THE HOUSING INDUSTRY REGULATORY AUTHORITIES OFFICE

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

Between

Nimesh Kanabar Complainant(s)

And

IDEAL REAL ESTATES PRIVATE LIMITED Respondent(s)

Details of claim :

1. Particulars of the complainant(s) :

(i) Name of the complainant : Nimesh Kanabar

(ii) Address of the existing office / residence of the complainant : Flat 7D, Tower 2, Diamond City South, 58 MG Road Kolkata, Kolkata, Kolkata, Haridevpur, 700041

(iii) Address of the service of all notice : Flat A - 802, Neptune A Tower, Vasant Galaxy, Bangur Nagar, Goregaon West, Mumbai 400104

2. Particulars of the respondents:

(i) Name(s) of the respondent : IDEAL REAL ESTATES PRIVATE LIMITED

(ii) Office address of the respondent : 591A, MOTILAL GUPTA ROAD ,Kolkata,Kolkata Haridevpur,West Bengal,700008

(iii) Address for service of all notices : Ideal Real Estates Private Limited, 11th floor, 50, Jawaharlal Nehru Rd, Elgin, Kolkata, West Bengal 700071

3. Jurisdiction of the Authority : Kolkata

4. The complainant declares that the subject matter of the claim falls within the jurisdiction of the Authority. Facts of the case:

Refer to Nimesh Kanabar WBHIRA Complaint against Ideal Real Estates Project as Attachment 1

(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. Direct the Respondent for an immediate 100% Refund of the total amount of Rs. 34,15,911/- (Rupees Thirty Four Lakh Fifteen Thousand Nine Hundred and Eleven Only) paid by the Complainants along with a penal interest of 18% per annum from the date of receipt of payments made to the Respondent.

2. That any other and further relief in favour of the Complainants as the Hon'ble WBHIRA Chief may deem fit and proper in the fact and circumstances of the case.

(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:

1. Direct the Respondent for an immediate 100% Refund of the total amount of Rs. 34,15,911/- (Rupees Thirty Four Lakh Fifteen Thousand Nine Hundred and Eleven Only) paid by the Complainants along with a penal interest of 18% per annum from the date of receipt of payments made to the Respondent.

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interest of 18% per annum from the date of receipt of payments made to the Respondent.

2. That any other and further relief in favour of the Complainants as the Hon'ble WBHIRA Chief may deem fit and proper in the fact and circumstances of the case.

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

1. Direct the Respondent for an immediate 100% Refund of the total amount of Rs. 34,15,911 /- (Rupees Thirty Four Lakh Fifteen Thousand Nine Hundred and Eleven Only) paid by the Complainants along with a penal interest of 18% per annum from the date of receipt of payments made to the Respondent.

2. That any other and further relief in favour of the Complainants as the Hon'ble WBHIRA Chief may deem fit and proper in the fact and circumstances of the case.

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

7. Complainant not pending with any other court, etc:  
none

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)

Annexure I - Nimesh Kanabar WBHIRA Complaint against Ideal Real Estates Project

Feb 2015 Demand and Payment

Jan 2015 Allotment letter and initial Payment

Jan 2015 Application With Ideal Real Estates Pvt.Ltd

July 2015 Demand and Payment

March 2015 Demand and Payment

November 2015 Demand and Payment

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Verification

I Nimesh Kanabar son / daughter of Bharat Kanabar 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 :

Date :

*Nimesh Kanabar*

Signature of the applicant(s)