

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 : 3/11/2021

Date of receipt by post : _____

Complaint No. : COM000680

Signature : _____

Authorized Officer : _____

IN THE HOUSING INDUSTRY REGULATORY AUTHORITIES OFFICE

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

Between

Sekhar Kumar Sengupta & Saheli Sengupta
And

Complainant(s)

M/S DHARITRI INFRAVENTURE PVT. LTD.

Respondent(s)

Details of claim :

1. Particulars of the complainant(s) :

(i) Name of the complainant : Sekhar Kumar Sengupta & Saheli Sengupta

(ii) Address of the existing office / residence of the complainant :

(iii) Address of the service of all notice : 263/9, Kalitala Housing (Pvt. House), P.O.-R.C.Thakurani,

Kol-700104,

Mob:9830840241

2. Particulars of the respondents:

(i) Name(s) of the respondent : M/S DHARITRI INFRAVENTURE PVT. LTD.

(ii) Office address of the respondent : DN-51, Merlin Infinite, 6th Floor, Unit-606, Sector-V, Salt Lake City, Kolkata-700091

(iii) Address for service of all notices : DN-51, Merlin Infinite, 6th Floor, Unit-606, Sector-V, Salt Lake City, Kolkata-700091

3. Jurisdiction of the Authority : WBHIRA

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

On December 30, 2017 we, Sekhar Kumar Sengupta & Saheli Sengupta, residing at 263/9, Kalitala Housing (Private House), P.O.-R.C.Thakurani, P.S.-Haridevpur, Kolkata-700104 entered into an agreement with M/S Dharitri Infraventure Pvt. Ltd. having PAN-AAFCD3234P (Regd. office DN-51, Merlin Infinite, 6th Floor, Suite-606, Sector V, Salt Lake City, Kolkata-700091) to purchase one 3 BHK flat, having an area of 900 sq. ft. more or less on 3rd Floor, Block No. 7, Flat no. F-6, located in a Housing Complex known as "Dharitri Webcity" located at Mouza-Amgachia, J.L. No. 93, comprised in R.S Dag No. 85 appertaining R.S. Khatian No. 10585, Police Station of Bishnupur within the limits of Amgachia Gram Panchayat and Office of Additional District Sub-Registrar of Bishnupur in the district of South 24 Parganas. Accordingly we paid a sum of Rs 5, 35, 000/- as earnest and advance money out of total consideration money of Rs 17,40,000/-. We had taken a personal loan to pay the advance money with a higher interest rate for a term of 4 years. As per the Memorandum of Understanding the project would be delivered to us within a period of 42 months although we were provided verbal assurance that the Premises would be handed over to us by the end of 2020. We have inspected the site on a regular basis and seeing no construction activity of note, we decided to contact the office bearers of Dharitri Infraventure Pvt. Ltd. on March 6, 2020 when we came to know that the project application (NPR-00927) is rejected at WBHIRA. We were informed verbally that the project has been cancelled due to reasons unknown to any of them. Please note that we were not informed of the same through any manner whatsoever by the Developers. On March 17, 2020 we submitted an application for refund of the advance amount paid by us for the said project. We were informed that we will receive the fund after a gap of six months. Till date despite repeated reminders we have not received a single penny of our money

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(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) :

Still we are bearing the pressure of installments of personal loan which we had taken for the purpose of advance payment of flat booking at 'Dharitri Webcity'. So we are demanding the full advanced money refund with interest.

(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:

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

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

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

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 Part 1

Agreement Part 2

Agreement Part 3

Agreement Part 4

Agreement Part 5

Agreement Part 6

Agreement Part 7

Application and Allotment Letters

Memorandum Of Understanding

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Money Receipts

Refund Application

Verification

I **Sekhar Kumar Sengupta & Saheli Sengupta** son / daughter of **Late Bimal Kanti Sengupta** 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 : 263/9, Kalitola Housing (Pvt. Home)
K01-104

Date : 11th March, 2021

① Sekhar K. Sengupta
② Saheli Sengupta

Signature of the applicant(s)