

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 : 8/22/2020

Date of receipt by post : _____

Complaint No. : COM000471

Signature : _____

Authorized Officer : _____

IN THE HOUSING INDUSTRY REGULATORY AUTHORITIES OFFICE

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

Between
Birendra Kumar Complainant(s)
And
MKHS Housing LLP Respondent(s)

Details of claim :

- Particulars of the complainant(s) :
 - Name of the complainant : Birendra Kumar
 - Address of the existing office / residence of the complainant :
(iii) Address of the service of all notice : MKHS HOUSING LLP, 6-CAMAC STREET, FORT KNOX BUILDING SECOND FLOOR , ROOM NUMBER 204, KOLKATA 700017
- Particulars of the respondents:
 - Name(s) of the respondent : MKHS Housing LLP
 - Office address of the respondent : R.S./L.R. Dag Nos. 926, 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
 - Address for service of all notices : MKHS HOUSING LLP, 6-CAMAC STREET, FORT KNOX BUILDING SECOND FLOOR , ROOM NUMBER 204, KOLKATA 700017

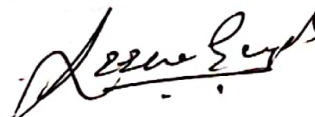
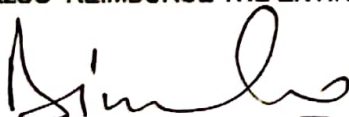
3. Jurisdiction of the Authority : North 24-Parganas

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

I, BIRENDRA KUMAR WITH MY WIFE LEENA GUPTA (CO APPLICANT) HAD BOOKED 2 NOS. FLATS BEARING NUMBERS 7-3/E AND 17-8/D IN THE PROJECT "THE RAINFOREST" ON 1ST NOVEMBER 2016 UNDER SUBVENTION SCHEME. THE PROJECT WAS DELAYED/STALLED BY THE BUILDER AND POSSESSION WAS NOT GIVEN IN TIME . I HAVE WRITTEN SEVERAL MAILS TO CANCEL MY BOOKING AND TO REFUND THE AMOUNT, HOWEVER NO ACTION HAS BEEN TAKEN BY THE CONCERNED PARTIES. LOAN WAS DISPERSED BY INDIABULLS HOUSING FINANCE LTD (IHFL). CANSCENT WAS NOT TAKEN PRIOR TO REIMBURSEMENT OF LOAN BY IHFL. SUBVENTION PERIOD WAS FOR 3 YEARS THEREBY BUILDER WAS SUPPOSED TO HAND OVER THE PROJECT. SO FAR IHFL HAS NOT DEMANDED TO PAY PRE-EMI FOR THE LOAD DISPERSED TOWARDS THE ABOVE 2 FLATS, HOWEVER THEY MIGHT DO SO IN FUTURE.

(give a concise statement of facts and grounds for complaint)

- Relief(s)
In view of the facts mentioned in paragraph 4 above, the complainant prays for the following relief(s) :
CANCELCATION OF FLAT BOOKINGS AND REFUND OF MONEY TO US WITH BANK INTEREST.
BUILDER MUST ALSO REIMBURCE THE ENTIRE AMOUNT DISBURSED BY IHFL.



FORM 'J'
See rule 36(1)

COMPLAINT TO AUTHORITY
Complaint under section 31 of the Act

(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:
REFUND OF BOOKING AMOUNT WITH BANK INTEREST AND WAIVER OF PRE-EMI TOWARDS LOAN DISBURSED BY IHFL.

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

SINCE THE PROJECT IS DELAYED BY THE BUILDER WE WOULD PRAY FOR CANCELATION OF FLAT BOOKINGS AND REFUND OF MONEY TO US WITH BANK INTEREST. BUILDER MUST ALSO REIMBURSE THE ENTIRE AMOUNT DISBURSED BY IHFL.

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

7. Complainant not pending with any other court, etc:
NO COMPLAINT HAS BEEN FILED ANYWHERE.

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)

17-8D Money Reciept (Qty-3)

17-8D Sales Agreement (Qty-2)

7-3E Money Rcpt Part-2 (Qty-3)

7-3E Money Reciept Part-1 (Qty-2)

7-3E Sales Agreement (Qty-2)

Processing Fee

Rainforest Extension letter (Qty-2)

Rainforest Provissonal Letter(Qtty-2)

Rainforest Sanction Letter (Qty-2)

Supp Agreement of both (Qty-2)



FORM 'J'
See rule 36(1)


COMPLAINT TO AUTHORITY
Complaint under section 31 of the Act

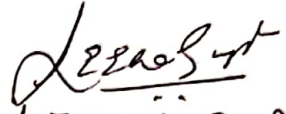
Verification

I Birendra Kumar son / daughter of Jamuna Prasad 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 : 07/09/2020


(BIRENDRA KUMAR)


(LEENA GUPTA)
Signature of the applicant(s)