

COMPLAINT TO AUTHORITY
Complaint under section 31 of the Act

For use of Authority(s) office :

Date of filing : 7/22/2019

Date of receipt by post : _____

Complaint No. : COM000104

Signature : _____

Authorized Officer : _____

IN THE HOUSING INDUSTRY REGULATORY AUTHORITIES OFFICE

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

Between

Siddhartha Mukherjee Complainant(s)

And

Aristo Infra Developers LLP Respondent(s)

Details of claim :

1. Particulars of the complainant(s) :

(i) Name of the complainant : Siddhartha Mukherjee

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

(iii) Address of the service of all notice : 2B, Pooja Apartment, 3 Mahdanga Road, Circus Math, PO-Chandannagar

2. Particulars of the respondents:

(i) Name(s) of the respondent : Aristo Infra Developers LLP

(ii) Office address of the respondent : 55, Khan Road, Mankundu, Hooghly, Bhadreswar Bhadreswar, West Bengal, 712139

(iii) Address for service of all notices : 55, Khan Road, Mankundu, Hooghly, Bhadreswar, West Bengal-712139

3. Jurisdiction of the Authority : Hooghly

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

The builder was supposed to handover my flat by 30th June 2018 and another 6 months was also considered by builder to cover any delay i.e. 31st December 2018. This is mentioned in contract. But till date, I have not received possession letter and the project is still incomplete.

(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) :

I want to cancel my booking and want to get back the amount which I have already paid to builder and bank as interest and insurance premium, i.e.

1. Principal amount which have already been paid to Builder.

2. Service Tax and GST which have been paid to Builder.

3. Interest which I have already paid to bank on borrowed capital.

4. Insurance premium which I have already paid to Bank for borrowed capital.

(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:

FORM 'J'
See rule 36(1)

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Possession letter can not be issued to me untill this case get resolved.

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

Possession letter can not be issued till this case not get resolved. Infrastructure is still incomplete and I am not ready to accept possession letter with this incomplete condition of the project.

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

7. Complainant not pending with any other court, etc:
This issue is not pending to any other court, tribunal and consumer forum.

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)

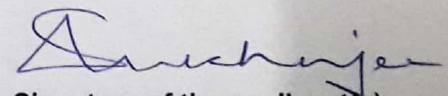
Important pages of contract

Verification

I Siddhartha Mukherjee son / daughter of Kuloda Prasad Mukherjee 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 : Chandernagar

Date : 22/07/19


Signature of the applicant(s)