

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 : 8/4/2021

Date of receipt by post : _____

Complaint No. : COM000761

Signature : _____

Authorized Officer : _____

IN THE HOUSING INDUSTRY REGULATORY AUTHORITIES OFFICE

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

Between

Tonmoy Mistry Complainant(s)

And

BHAIRAMAL GOPIRAM PROPERTIES LLP Respondent(s)

Details of claim :

1. Particulars of the complainant(s) :

- (i) Name of the complainant : Tonmoy Mistry
- (ii) Address of the existing office / residence of the complainant :
- (iii) Address of the service of all notice : village- Champahati Colony, post- simlagarh, dist-hooghly, thana - pandua, state-west bengal, pin-712135

2. Particulars of the respondents:

- (i) Name(s) of the respondent : BHAIRAMAL GOPIRAM PROPERTIES LLP
- (ii) Office address of the respondent : DAG 2901 KHATIAN NO 9619,9621,9623 DELHI ROAD, SILPISRI BUS STOP,Howrah,Bally Jagachha Bally,West Bengal,711205
- (iii) Address for service of all notices : 10/C, Ho Chi Minh Sarani, Kankaria Estates, Park Street area, Kolkata, West Bengal 700071, ph:+91 33 4001 2255

3. Jurisdiction of the Authority : Howrah

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

1. Deviating from car parking plan- selling same allocated car parking twice by converting my parking to Multi Liver Parking which was not proposed at the time of purchasing
2. Promised amenities not provided for which builder has charged
3. Converting common area to commercial space and selling it
4. Changing plan at the time of possession- Sold common area like Gym and Kids play area and moved that to roof, which was not as per the plan
5. Delay in possession more than 2 year, it was promised to handover the flat by december 2020, but still incomplete
6. Forcing to pay without fulfilling the promises- 90% of the payment is done but still builder is not allocating the parking and forcing to do registry without it.
7. Builder misbehaviour and cheating with the buyer- Builder and marketing agent (Pioneer properties) provided wrong information at the time of selling the flat, and cheated us.

(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. Please provide the car parking space as mentioned in the SALE Deed Agreement. As per the safe deed car parking spaces will be of 135 sqft, but now builder converting it into MLCP which was not proposed in the plan and selling it twice.

Tonmoy Mistry

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2. GYM, and other common area was supposed to be on the 1st floor, but now builder has moved it to the roof and sold the common area to commercial spaces.
3. Builder giving threat and doing misbehaviour

(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)

Brochure- clearly mentioned that building will have 16 parking, which is getting double

Sale deed agreement copy where its clearly mentioned about parking space

sale deed agreement copy

Verification

I Tanmay Mistry son / daughter of tarak chandra mistry 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 : 8/4/2021

Tanmay Mistry

Signature of the applicant(s)