

COMPLAINT TO AUTHORITY
Complaint under section 31 of the Act

For use of Authority(s) office :

Date of filing : 10/29/2020

Date of receipt by post : _____

Complaint No. : COM000538

Signature : _____

Authorized Officer :

IN THE HOUSING INDUSTRY REGULATORY AUTHORITIES OFFICE

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

Between

Girin Chandra Kalita Complainant(s)

And

Soumita Projects Private Limited Respondent(s)

Details of claim :

1. Particulars of the complainant(s):

- (i) Name of the complainant : Girin Chandra Kalita
- (ii) Address of the existing office / residence of the complainant : 2F, Tower 1, Sananda Apartment Hospital road, Reckjuani, Rajarhat, North 24-Parganas, Rajarhat, Rajarhat, 700135
- (iii) Address of the service of all notice : 2F, Tower 1, Sananda Apartment Hospital road, Reckjuani, Rajarhat
KOL -135

2. Particulars of the respondents:

- (i) Name(s) of the respondent : Soumita Projects Private Limited
- (ii) Office address of the respondent : Reckjoani, rajarhat near Sitola Mondir, North 24-Parganas, Rajarhat Rajarhat, West Bengal, 700135
- (iii) Address for service of all notices :

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 booked a flat in K block of Kabya Phase 2. As per the Sale Agreement, my flat should have been ready by 31/12/2019. Flat is still not ready and the Soumita Projects has failed to deliver it. Soumita projects has been giving me excuses that - "it will be completed in next 3 months", "got delayed due to Corona", "it will be completed soon", but there is no construction progress in K block and it is already delayed more than a year now.

I took a home loan to purchase this flat and I am already paying 70% of my home loan EMI. Also, I am living in a rented apartment and have to pay rent .

(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 would like to withdraw from this project and request that Soumita Projects return the total amount received till date from my end, that includes the booking amount and the loan amount disbursed by the bank to Soumita Projects. I have already wasted more than a year waiting for my flat and I don't see any commitment from Soumita Projects that construction will be completed soon.

(Specify below the relief(s) claimed explaining the grounds of relief(s) and the legal provisions (if any) relied

FORM 'J'
See rule 36(1)

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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:
No complaint pending with any other court, authority or tribunal.

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)

Allotment letter from Soumita projects

Verification

I Girin Chandra Kalita son / daughter of Jadav Kumar kalita 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 : 31/10/2020



Signature of the applicant(s)