

COMPLAINT TO AUTHORITY
Complaint under section 31 of the Act

For use of Authority(s) office :

Date of filing : 6/10/2020

Date of receipt by post : _____

Complaint No. : COM000386

Signature : _____

Authorized Officer : _____

IN THE HOUSING INDUSTRY REGULATORY AUTHORITIES OFFICE

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

Between
Prabir Ganguly Complainant(s)
And
BENGAL MILLENNIUM REALITY GROUP Respondent(s)

Details of claim :

1. Particulars of the complainant(s) :

- (i) Name of the complainant : Prabir Ganguly
- (ii) Address of the existing office / residence of the complainant : TOGO MILLENNIUM PARK, 41 AC MITRA LANE, BOROBAZAR EAST BURDWAN, Purba Bardhaman, Burdwan - I, Bardhaman PS, 713101
- (iii) Address of the service of all notice : TOGO MILLENNIUM PARK, BLOCK-2, FOURTH FLOOR, FLAT NO-C, 41 , AC MITRA LANE, BOROBAZAR, NEAR CMS HIGH SCHOOL, EAST BURDWAN, PS-BURDWAN SADAR THANA, PIN-713101

2. Particulars of the respondents:

- (i) Name(s) of the respondent : BENGAL MILLENNIUM REALITY GROUP
- (ii) Office address of the respondent : 23/15, NAKTALA ROAD, POST-NAKTALA, PS- NETAJINAGAR, KOL-700047
- (iii) Address for service of all notices : 23/15, NAKTALA ROAD, POST-NAKTALA, PS- NETAJINAGAR, KOL-700047

3. Jurisdiction of the Authority : BURDWAN MUNICIPALITY , BURDWAN

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

1. I have booked a flat being number c at forth floor in togo millennium park, 41, ac mitra lane, borobazar, burdwan-713101, constructed by Bengal millennium reality group(samir halder and debasis sarkar, being partners of 23/15, naktala road , Kolkata-700047 over the land owned by subash sarkar of village-surul, post- sriniketan, dist-birbhum by paying advance money rupees 50000 on 08/05/2018 to the developer under receipt)
2. debasis sarkar, one of the partners delivered me the possession of the above flat, which has been admitted in his letter number-0356/19-20 dated 17/01/2020 addressed to dist. Joint secretary, burdwan dist. Consumer protection centre having forwarding a copy to me.
3. Till date, I paid rupees 10,20000 and took position of the flat in the month of august, 2019, which was not completed / finished till date.
4. Since then I have been chasing and pressing him to complete / finish the flat to make it in proper habitable condition conveniently.
5. I also requested the developer to arrange its sale deed under registration of the flat and receive balance of rupees 10,20000 which will be accommodated from bank loan already sanctioned on 30/07/2019 with a validity of 6 months.
6. after repeated request and pursue the matter the developer deliberately did not attend my grievance and accede my request. As a result validity of the loan period might have been expired by this time.
7. it has been admitted by the developer that he can neither arrange to complete the flat nor supply completion

FORM 'J'
See rule 36(1)

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certificate.

8. it is fact that due to non availability of completion certificate the flat is not being mutated in my name.
9. Lastly it is submitted that the developer informed me that he can not perform his obligations due to one title suit filed against him by landlord and same is till pending for disposal.

(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 hereby pray before your honor kindly "arrange sale" deed of registration of flat and by arranging loan from bank and receive the balance amount as described above.

(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:

As such it is highly requested to pass necessary order to arrange completion of building and issue completion certificate accordingly. Prior receiving the balance amount of sale value.

Pending final decision on the complaint the complainant seeks issue of the following interim order:
Total dispute may be amicably settled in tri party discussion.

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

7. Complainant not pending with any other court, etc:
NO, THERE ARE NO COURT CASE AGAINST ME.

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 OF FLAT

BANK LOAN PAPER

LETTER AND REPLY

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See rule 36(1)

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Verification

I Prabir Ganguly son / daughter of Prasanta Ganguly 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 : East Burdwan

Date : 10/06/2020

Prabir Ganguly

Signature of the applicant(s)