

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 : 8/10/2020

Date of receipt by post : _____

Complaint No. : COM000463

Signature : _____

Authorized Officer : _____

IN THE HOUSING INDUSTRY REGULATORY AUTHORITIES OFFICE

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

Between

DIPAK KUMAR SHAW Complainant(s)

And

Bengal Shapoorji Housing Development Pvt Ltd Respondent(s)

Details of claim :

1. Particulars of the complainant(s) :

(i) Name of the complainant : DIPAK KUMAR SHAW

(ii) Address of the existing office / residence of the complainant : NARSINGH BANDH DUBEY PARA, GAYATRI MANDIR ROAD POST BURNPUR, THANA HIRAPUR, Paschim Bardhaman, Asansol Municipal Corporation, Asansol PS (S), 713325

(iii) Address of the service of all notice : NARSINGH BANDH DUBEY PARA, GAYATRI MANDIR ROAD, POST BURNPUR, THANA HIRAPUR, DISTRICT PACHIM BARDHAMAN, PIN 713325

2. Particulars of the respondents:

(i) Name(s) of the respondent : Bengal Shapoorji Housing Development Pvt Ltd

(ii) Office address of the respondent : Shukhobrishti Sriha Plot No. E1-E2, North 24-Parganas, Rajarhat New Town, West Bengal, 700156

(iii) Address for service of all notices : Bengal Shapoorji Housing Development Pvt Ltd
P S Srijan Corporate Park

Unit # 0903, 9th Floor, Tower-I

Plot No. G 2, Block - GP, Sector-V

Salt Lake, Kolkata-700091

E-mail: kolkata.masshousing@shapoorji.com

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:

We (Dipak Kumar Shaw & Madhuri Shaw) are flat allottee in Shukhobrishti Sriha Phase 8 and our flat no is: P8/501649 - L/59/1005.

We have made payments till 4th installment as per demand by BSHDPL within given due dates. Due to our financial problems, we could not make the 5th & 6th installment as per demand and we informed BSHDPL through email before the end of due date which was 30th March 2020. WBHIRA was also copied in that email.

In that email, we asked BSHDPL to proceed with flat cancellation request and refund our money as soon as possible due to our financial problem.

BSHDPL contacted us in mid of May and asked us to write a cancellation letter and send that through email which we did on 27 May 2020 and email was copied to WBHIRA. BSHDPL acknowledged that and assured us that they will forward our request to concerned people but till now, no progress has been made. Nobody has contacted us

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and if we call BSHDPL office, people does not respond.

As we are not in Kolkata so we are unable to make any physical inquiry. We also came to know that construction work has been stopped in Shukhobrishti for more than 1.5 years now and BSHDPL is not responding to phone or emails. We also have made several follow up emails but there is no response.

(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) We want BSHDPL to execute flat cancellation agreement as soon as possible and refund our money after deducting changes as mentioned in General Terms and Condition document.
- 2) We pray to WBHIRA that an order to be issued to BSHDPL to provide us the details of flat cancellation changers before we execute the cancellation agreement for our verification.
- 3) We also pray to WBHIRA that BSHDPL should not take any coercive action against us due to filing this complaint as it may happen.

(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:
No complaint is made in any other court.

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)

1-Allotment Money

1st Installment

2nd Installment

3rd Installment

4th Installment

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Allotment Letter

Email Communication

Shapoorji Cancellations Application

Verification

I **DIPAK KUMAR SHAW** son / daughter of **RAMLAKHAN SHAW** 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 : *Bumpur.*

Date : *23 Aug 2020*

Dipak Mr. Shaw.

Madhuri Shaw

Signature of the applicant(s)