

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 : 5/8/2021

Date of receipt by post : _____

Complaint No. : COM000737

Signature : _____

Authorized Officer : _____

IN THE HOUSING INDUSTRY REGULATORY AUTHORITIES OFFICE

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

Between

Catherine Lobo Chakrabarti Complainant(s)

And

Amitabh Roy(Mob: 9831119433 51), Respondent(s)

Details of claim :

1. Particulars of the complainant(s) :

(i) Name of the complainant : Catherine Lobo Chakrabarti

(ii) Address of the existing office / residence of the complainant : W2B-15/4, Phase - 3, Golfgreen Uday Shankar Sarani, Kolkata, Kolkata, Jadavpur, 700095

(iii) Address of the service of all notice : W2B - 15/4, Phase-3, Golfgreen Urban Complex, Uday Shankar Sarani, Kolkata 700095

2. Particulars of the respondents:

(i) Name(s) of the respondent : Amitabh Roy(Mob: 9831119433 51),

(ii) Office address of the respondent : 580, Kalu Khan Road Beside Monginis Factory, South 24-Parganas, Sonarpur Sonapur, West Bengal, 700154

(iii) Address for service of all notices : TEAM TAURUS Realty & Infrastructure Private Limited. Suite # 610 6th Floor, Merlin Infinite DN-51, Salt Lake Bypass, DN Block, Sector V, Bidhannagar, Kolkata, West Bengal 700091

Email:roy@teamtaurus.co.in

3. Jurisdiction of the Authority : South 24-Parganas

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

FACTS of our case:

1) We, Kunal Chakrabarti and Catherine Chakrabarti, booked a flat in the project, Pather Panchali on 10/06/2013 vide cheque no: 032047 issued from State Bank of India A/c no. 31197344071 for an amount pf Rs.104121/-

2) We made the second payment on 14/08/2013 for an amount of Rs. 380431/- from SBI net banking from the same account as mentioned above.

3) We made the third payment on 05/09/2013 for an amount of Rs.154027/- from SBI netbanking from the same account as mentioned above (P.1). 4) Thus, the total amount paid is Rs. 638579/- as down payment.

5) The construction was halted due to some dispute with local residents and our home loan that had been sanctioned by HDFC Limited in 2013 lapsed due to delay. The possession was to be given to us in October 2016.

6) Team Taurus began demanding payment for the first floor casting in December 2016. We had to re-apply for a new Home Loan which was sanctioned by India Bulls in February 2017.

7) They again sent us the demand note for the second floor casting in February 2017.

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10) They committed to deliver the flat by October, 2016 and have also mentioned in their agreement that if there are any architectural/engineering delay or any delay in payment from the buyer only then the property possession could get delayed. None of these events have happened. Neither have they kept us posted. Instead, they kept giving us lame excuses for their incompetency and the delay

11) We have been living in a rented premise much before the time of booking this flat. In fact, the flat was booked with the sole purpose of residing and it was not for investment. We have been paying a rent of Rs. 2.52 Lakhs per annum.

(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) :

- A) We want a compensation for all the mental agony and financial burden for the rent that we having been paying due to the delay since October 2016 (when the flat was promised to us) and the added burden of the EMI
- B) We need compensation as follows.
- Monetary compensation equivalent to our flat value at the current market rate and in the same area.
 - Interest to be paid to the Housing Finance Company for the Home Loan to be borne by them
 - Total Rent amount paid till date with Interest

(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:
NONE

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

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

7. Complainant not pending with any other court, etc:
N.A

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

Confirmation of Agreement signing

Loan Sanction Letters

On letterhead - date of possession

Proof of discussion with Mr Roy,

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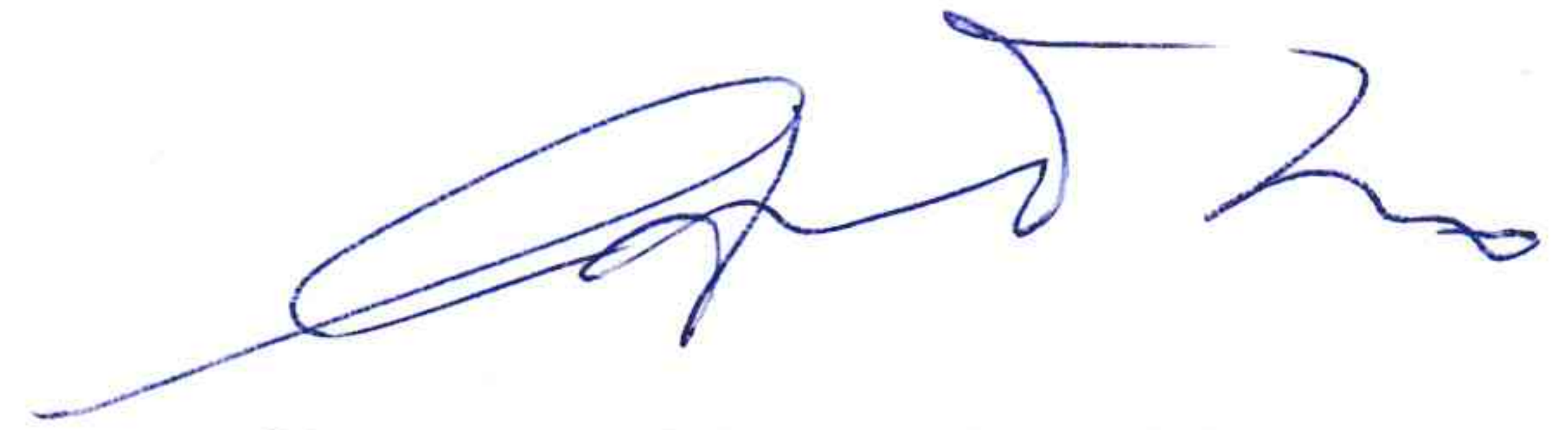
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Verification

I **Catherine Lobo Chakrabarti** son / daughter of **Rosario Lobo** 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 : **08-05-2021**



Signature of the applicant(s)