

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 : 8/3/2020

Date of receipt by post : _____

Complaint No. : COM000438

Signature : _____

Authorized Officer : _____

IN THE HOUSING INDUSTRY REGULATORY AUTHORITIES OFFICE

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

Between

Moumita Biswas and Nripendra Nath Biswas

Complainant(s)

And

Hemont Kumar Sikaria, S/O : Sri Sajan Sikaria

Respondent(s)

Details of claim :

1. Particulars of the complainant(s) :

(i) Name of the complainant : Moumita Biswas and Nripendra Nath Biswas

(ii) Address of the existing office / residence of the complainant :

(iii) Address of the service of all notice : Moumita Biswas, C/O : Saurav Sharma, CD-22, Sonar Tari Housing Co-operative Society Ltd. Street No-2222 (Oposite of 8 No Water Tank), Action Area 1, New Town, 24 PGS (N), West Bengal- 700156

2. Particulars of the respondents:

(i) Name(s) of the respondent : Hemont Kumar Sikaria, S/O : Sri Sajan Sikaria

(ii) Office address of the respondent : Mounthill Realty Pty Ltd. Between Gate no 1 and 2 , 1st Floor , Salt Lake Stadium Complex, Salt Lake City, Police Station Bidhan Nagar South, Kolkata-700098, W.B.

(iii) Address for service of all notices : Mounthill Realty Pty Ltd. Between Gate no 1 and 2 , 1st Floor , Salt Lake Stadium Complex, Salt Lake City, Police Station Bidhan Nagar South, Kolkata-700098, W.B.

3. Jurisdiction of the Authority : West Bengal Housing Industry Regulatory Authority

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

we signed off the contract for sale agreement on 2nd May, 2013 for the Flat No: 4/4 F1, Fourth floor, super built-up area approximately 1420 square feets, in Block Four, in "Mounthill Essence" Project, at Kalaberia, Kamarbari, Post office Rajarhat Bishnupur, Police Station Rajarhat, 24 PGS(N), Kolkata -700135

Cost of Flat without extra charge : 1420 sqft @Rs. 2850/ sqft + Rs. 250000 for a car Park

Total = Rs. 4297000Rs.

We have paid in total as per payment schedule by 21st of Jan 2016,

= Rs. 40,82,000 which is 95% of the construction cost.

Only 5% is left which we were supposed to pay on possession.

AS per the sale agreement the Flat was supposed to be handed over by June 2016 but still not completed.

(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) :

5. We have been paying the premium every month for the loan we took from HDFC Bank since we signed off the contract. The flat was supposed to be handed over in June, 2016. We have been living in a rental property since