

Sir,

I, Anasuya Samanta Boral and my husband Manoj Boral bought a flat (425 square feet, Block- B6, flat- 6402A, on fourth floor) and an open car parking from Swan Housing & Infra Pvt. Ltd. in Swan Green. Before the time of approval of my bank loan, I was forced to give an amount of Rs. 2,89,287/-. After that on 30th December, 2018 a sale agreement was done between me and the company. There they mentioned the total consideration amount of my property including Rs. 2,89,287/- is Rs. 12,65,125/- (though their square feet rate for fourth floor is Rs. 2,450/- and open car parking rate is Rs. 1,75,000/-). As per the sale agreement Bank of India verified the project with their lawyer, and gave me a loan approval letter on 25th March, 2019. But as we work in private sector, they instructed us to do the HIRA registration before loan disbursement. So, the company instructed the bank to send the sale agreement for registration. When the assessment slip was brought up for registration the value of my property was written 14,16,940/-. On questioning, I was told that it was the valuation for registry.

But when the time came for loan disbursement from the bank the company claimed Rs. 14,16,940/- (including Rs. 2,89,287/- that I had already paid). But the bank disagreed on that point as they had sanctioned a loan as per the sale agreement for Rs. 12,65,125/- (including Rs. 2,89,287/-). When the bank questioned the company for the increase in value, the company said that the rest of the amount was GST. As per the direction of the bank I consulted with GST helpline where I was informed that the GST rate for flats below 45 lakhs is 8%, however if the company has not filed an Annexure - 4 then the GST payable by me as per the law is 1%. When I enquired the company whether they have filed an Annexure – 4, they misbehaved with me and said that they would talk to my lawyer and stopped all communications from their side. I repeatedly told them that if they don't receive the loan disbursement the loan will automatically be cancelled within six months.

On 28th June, 2019 my lawyer sent a letter to the company but there was no response from their side. Afterwards I complained to the national consumer helpline (docket no. - 1557696) and informed them via email, which was not replied. Till 25th September, 2019 as no claim for disbursement of the loan was received, the loan was automatically cancelled. In this situation I communicated with the District Forum. They suggested me that HIRA would be able to take the necessary action against the company very quickly to resolve this entire issue. I also seek HIRA's help to mediate with the bank on my behalf so that I am not further harassed in course of reapplication for the bank loan and take necessary steps so that the processing fees is waived as this loan file was closed due to the negligence of the company.

Regards...

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