

Subhas Basu, LL.B.
ADVOCATE, Calcutta High Court

MEMBER OF :
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RESIDENCE & CHAMBER :
PURBACHAL ABASAN
Cluster-VIII, Flat - M-1
Salt Lake City
Kolkata - 700 097
Phone : (033) 2335 4046
Mobile : 94330 94045
8240131565

e-mail : subashbasu@yahoo.co.in

Ref. No.

5th February, 2020
Date

By Speed Post

Sri Amitava Samanta
Director, M/s India Green Reality Limited
1/21, Purbachal, Nibedita Road
P.S. Kasba, Kolkata-700078

M/s India Green Reality Limited
BA-30, Rajdanga Main Road near Gitanjali Stadium
P.S. Kasba, Kolkata-700107

My clients: **Mrs. Saswati Ghosh and Mr. Satyen Ghosh, 521, SKB Sarani, flat-101, 1st floor, P.O. Ghughudanga, P.S. Dum Dum, Kolkata-700030**

Sir,

Re: **Agreement for sale dated 23.12.2018 and Deed of Cancellation dated 07.09.2019 in respect of Sale of one 2 storied Bunglow named DOPATI (G+I) Unit No. 203**

Under instructions and on behalf of my above named clients who have handed over to me the relevant documents, I write as follows:-

- 1) That you, the addressee No.1, being the Vendor/Owner/Developer along with your company, addressee No.2, entered into an Agreement for Sale with my above named clients on 23rd December, 2018 for developing a Sali land acquired by you to construct Bungalows being named **Dopati Unit No.203** situated at Mouza-Khanjanpur, P.S. Bolpur in the district of Birbhum.
- 2) You issued the Allotment Letter dated 23.12.2018 to my clients advising them to handover the said bunglow within 120 days and acknowledge receipt of the sum of **Rs. 7,09,000/-** (Rupees seven lakh nine thousand only) as Earnest Money against a total consideration of Rs.26,00,000/- (Rupees twenty six lakh only) by way of following cheques drawn in favour of "**India Green Reality Limited**".
 - a) Cheque No.645963 dt. 09.09.2015 on SBI for Rs.1,00,000/-
 - b) Cheque No.645977 dt. 08.11.2015 on SBI for Rs. 1,00,000/-
 - c) Cheque No.687922 dt. 17.01.2016 on SBI for Rs. 3,00,000/-
 - d) Cheque No. 087923 dt. 06.02.2016 on SBI for Rs. 2,09,000/-

Rs. 7,09,000/-

These cheques were duly encashed by the company.

भारतीय डाक
EW12247024714 INR:6787
SP PURBACHAL S.O (700078)
Counter No:1,07/02/2020
To:INDIA GREEN R.LD 30 NIBEDITA RD
PIN:700107, Madurdaha SQ
From:SUBHAS BASU,DL 8,M/1
Wt:16gms
Amt:29.50(Cash)Tax:4.50
(Track on www.indiapost.gov.in)
(Dial 1800 266 8868)

भारतीय डाक
EW12247023314 INR:6987
SP PURBACHAL S.O (700078)
Counter No:1,07/02/2020
To:AMITAVA SAMAN,1/2 PURBACHAL
PIN:700078, Haliu SQ
From:SUBHAS BASU,DL 8,M/1
Wt:18gms
Amt:29.50(Cash)Tax:4.50
(Track on www.indiapost.gov.in)

- 3) Subsequently after receiving the Earnest Money you failed or neglected to develop the plot of land and to construct the Bunglows as agreed upon even after lapse of 4 years of receiving the earnest money of Rs. 7,09,000/-
- 4) You made a Deed of Cancellation stamp paper of Rs.10/- on 7th September, 2019 with my clients agreeing to cancel the previous Agreement for sale dated 23.12.2018 and to refund the Earnest Money of Rs. 7,09,000/- (Rupees seven lakh nine thousand only) by 4 nos. of cheques mentioned hereinbelow:
- | | |
|---|-----------------------|
| 1) Cheque No. 000165 dt. 06.12.2019 on Bank of Baroda | Rs. 2,00,000/- |
| 2) Cheque No.000166 dt. 13.12.2019 on Bank of Baroda | Rs. 2,00,000/- |
| 3) Cheque No. 000164 dt. 19.12.2019 on Bank of Baroda | Rs. 2,00,000/- |
| 4) Cheque No.000167 dt. 24.12.2019 on Bank of Baroda | <u>Rs/ 1,09,000/-</u> |
| | Rs. 7,09,000/- |
- 5) These cheques were deposited for realization but all the cheques were returned unpaid by the Drawee Bank with the remark, "**Payment Stopped by attachment Order**".

Under the facts and circumstances, I being the Advocate of my clients call upon you to reply to the following queries within 15 (fifteen) days from the date of receipt of this notice

- A) Whether you have obtained HIRA Licence after execution of the Agreement for Sale of plot and Bunglow as per WB HIRA Act, 2017 & Rules 2018.
- B) What is the present status of the Land in the project named DOPATI.
- C) Whether conversion of Sali land to Bastu land has been done and plan for the project approved.
- D) Under what circumstances you accepted the Earnest Money from the Public when the conversion of the land the Project Plan was not approved by the Local Panchayat?
- E) What are the reason for stop payment of the above mentioned cheques?

Please note that if no satisfactory reply is received from your end within the stipulated period my clients shall presume that they have been cheated by this transaction. My clients shall be compelled to initiate a case under provisions of the West Bengal Housing Industry Regulations Act, 2017 (WBHIRA) without any further notice to you and the company.

Yours faithfully,

(Subhas Basu)
Advocate

5/2/20.

Copy forwarded to my clients for information.

4 Date mailed	5 Time mailed	20 A Dispatch charge
Year Month Day	Hour Minutes	20 B office of origin
20 02 07		



Customs declaration

Description of contents Applicable for International EMS Speed Post only

Letter dt: 05/02/20.

27 Name in print of the person taking of the item

28 Signature *Biswa Nath Mondal*

22 Gift	23 Sample of merchandise	24 Value	25 Weight in Kg.
<input type="checkbox"/>	<input type="checkbox"/>		

29 Date of delivery	30 Time of delivery
Year Month Day	Hour Minutes

Sender

8 Name and address of sender
 SUBHAS BASU
 Advocate, Purbachal Apartment
 CLUSTER-VIII FLAT-M/1, SEC-3
 SALT LAKE- KOL- 97

Addressee

12 Name and address of addressee
 Sri Anitawa Samanta
 Dinech - m/s India Green Reality
 1/2 Purbachal, Nubada-1- RA
 Keshe Kal- 78

9 Sender's postal Code
 700097

14 Addressee's postal Code
 700078

4 Date mailed	5 Time mailed	20 A Dispatch charge
Year Month Day	Hour Minutes	20 B office of origin
20 02 07		



Customs declaration

Description of contents Applicable for International EMS Speed Post only

Letter dt: 5/2/2020

27 Name in print of the person taking of the item

28 Signature *Pramod K Saha*

22 Gift	23 Sample of merchandise	24 Value	25 Weight in Kg.
<input type="checkbox"/>	<input type="checkbox"/>		

29 Date of delivery	30 Time of delivery
Year Month Day	Hour Minutes

Sender

8 Name and address of sender
 SUBHAS BASU. Adv.
 PURBACHAL APARTMAN
 CLUSTER-VIII FLAT-M/1,
 SALT LAKE- SEC-3, KOL- 97

Addressee

12 Name and address of addressee
 m/s India Green Reality da
 BA-30, Rajdanga man.
 P.S. Kasba Kol- 107

9 Sender's postal Code
 700097

14 Addressee's postal Code
 700107