



Narayan Kundu &lt;kundu9f@gmail.com&gt;

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## Delayed possession of flat

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Narayan Kundu &lt;kundu9f@gmail.com&gt;

Wed, Dec 16, 2020 at 9:26 PM

To: Shayanee Mukherjee &lt;shayanee.mukherjee@simocosystem.net&gt;

Dear Shayanee.

I would like to refer to your mail dated 06.11.2020 and a telephone call received about 20 days ago from one lady from Sanhita informing that final stages of finishing in my flat was in progress and the final possession letter will be issued to me by 15th December, 2020. The lady speaking to me over telephone, also advised me to keep ready an amount of Rs. 2.95 lakhs as final payment to enable me to take possession of the flat. When I told her about penalty to be paid by Simoco due to delayed possession, she told me that I have to pay full amount first and then request for payment of penalty for delayed possession to Simoco which will be examined and decided by them. I was not satisfied with her reply.

Yesterday, i.e. on 15th December, 2020 I visited your site and also visited my flat (4E, 3B1). I was surprised to see the status of construction. Though the floor tiles have been laid, wall tiles in cooking area and bathrooms are still to be fixed, (ii) Though the door shutters have been provided, no painting has been done on them, window frames, shutters, grills etc. are not yet fixed, (iii) Electrical wiring is not yet done, (iv) plumbing jobs are incomplete, (v) Erection and commissioning of lifts are not yet done, (vi) overhead water tanks are not yet fixed (vii) External painting has not been done, (viii) the approach road to the tower has not been done etc.

The engineer in charge told us that subject to permission from head office and availability of manpower and materials, the internal works could be completed earliest in about one and half months time. He did not commit about external works like roads, painting of external surfaces of the tower etc.

My question is, how long can you continue bluffing your customers? Do you want us to approach Consumer Forum?

I would expect an early solution and reply to my queries.

Yours truly,

Narayan Kumar Kundu

On Fri, Nov 6, 2020 at 3:00 PM Shayanee Mukherjee <shayanee.mukherjee@simocosystem.net> wrote:

Dear Mr. Kundu,

As you are well aware of the fact that the pandemic situation due to Covid had an emerge impact worldwide, the construction work stopped for around 4months. We resumed our construction and handover for 3BHKs with a very minimum labor and material. As per planning, 3B1 will be handed over by December end or January. Please bear with us.

With Regards,

For Simoco Systems & Infrastructure Solutions Ltd.

Shayanee Mukherjee

"SANHITA " Project

Simoco Systems & Infrastructure Solutions Ltd.

Godrej-Genesis Building (2nd Floor)

Block EP-GP, Sector - V,

Salt Lake Electronics Complex , Kolkata - 700091

Ph. No: 033-4004 9952



**From:** Narayan Kundu [mailto:kundu9f@gmail.com]

**Sent:** Friday, 30 October, 2020 2:15 PM

**To:** Shayanee Mukherjee <shayanee.mukherjee@simocosystem.net>; sanhita simoco <enquiry@sanhita.net>

**Subject:** Re: Delayed possession of flat

I am still awaiting a response from Simoco (Sanhita) especially from you. Please expedite.

Narayan Kumar Kundu

On Sun, Oct 25, 2020 at 7:20 PM Narayan Kundu <kundu9f@gmail.com> wrote:

Dear Shayanee,

This is in response to your mail dated 19th August. 2020. I had visited the Sanhita complex along with other members of my family on 23rd October 2020 to see the progress. We were very disappointed to see the progress of our tower where flooring has been done upto 4th floor starting from 7th, i.e. the same from ground to 3rd floor are still to be done, We could not find any hint of lifts or installation thereof. Electrical wiring and plumbing jobs in the flats still remain to be done. The additional jobs e.g. fixing of grills and additional electrical points, for which we had given some advance to your company already are no where to be seen.

With the above observations, we don't feel that your commitment to hand over the flats to us by December 2020 can be fulfilled. Please throw some light if you or your company has any other observations.

I would expect an early response from you.

Wishing you a very happy Durga Puja

Yours truly,

Narayan Kumar Kundu

On Wed, Aug 19, 2020 at 3:06 PM Shayanee Mukherjee <[shayanee.mukherjee@simocosystem.net](mailto:shayanee.mukherjee@simocosystem.net)> wrote:

Dear Mr. Kundu,

Thank you for writing to us.

POP, lift and flooring is on process for 3B1. We have recommenced our construction work after lockdown with Precinct 1 which includes 3B1. The tentative date of delivery of your flat is on or before December 2020.

We are liable to pay compensation as per terms and condition of the Sale Agreement during handover.

With Regards,

For Simoco Systems & Infrastructure Solutions Ltd.

Shayanee Mukherjee

“SANHITA “ Project

Simoco Systems & Infrastructure Solutions Ltd.

Godrej-Genesis Building (2nd Floor)

Block EP-GP, Sector - V,

Salt Lake Electronics Complex , Kolkata - 700091

Ph. No: 033-4004 9952



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**From:** Enquiry Sanhita [<mailto:enquiry@sanhita.net>]

**Sent:** Friday, 14 August, 2020 10:27 AM

**To:** 'Shayanee Mukherjee' <[shayanee.mukherjee@simocosystem.net](mailto:shayanee.mukherjee@simocosystem.net)>

**Subject:** FW: Delayed possession of flat

**From:** Narayan Kundu [mailto:kundu9f@gmail.com]

**Sent:** 13 August 2020 19:15

**To:** sanhita simoco <enquiry@sanhita.net>

**Subject:** Delayed possession of flat

Dear Sirs,

My wife Mrs. Krishna Kundu and I are joint allottees of Flat No. 4E, Block 3B1, application No. 638126 in Sahita Complex. We had entered into an agreement with you on 19.05.2015 wherein we were assured possession of the flat within 36 months. There was provision of 6 months extension and also another extension of 180 days. Taking all the above in consideration, we should have got possession of the flat at least by 24.09.2018 i.e 4 years from the date of confirmation of allotment to us by Simoco.

We have paid all the installments demanded so far, within scheduled time. Now, only the final installment for the flat and second installment of the parking space remain to be paid. This amount is required to be paid at the time of possession of the flat. In addition, we have paid advance of Rs. 15000/- and Rs. 7000/- for grill work and additional electrical jobs respectively.

We are aware of the position relating to the Corona pandemic i.e. lock down etc. But would like to inform that even before lockdown was imposed in March,2020, there was delay of at least 17 months in handing over the possession of the flat till that time. We have not yet got possession of the flat and are not sure when we are going to get that. But since you are not going to pay any interest on the penal amount, we would request you to pay us the compensation accrued upto 29.02.2020 immediately. In case there are further delays, the same can be calculated at the time of taking over of possession of the flat.

Thanking you,

Yours truly,

Narayan Kumar Kundu &

Krishna Kundu