

Date: 22nd Dec 2019

To,
The Secretary, WB HIRA

This is to state that I, **Priyam Ghosh** and my brother **Subhadip Ghosh**, S/O Prabal Kanti Ghosh, resident of 10/1B, Seven Tanks Lane, Dumdum , Kolkata 700030,W.B. had come to know about a housing project “**Nestwood Maple**” launched and constructed by “**Nestwood Estates Pvt. Ltd.**” with their registered office at **Office Space No-306, 3rd Floor. PS IXL – Block A, Atghora, New Town, District :24 Parganas (N), Kolkata 700136** which is recently shifted to **Astra Tower, North building, Room no. 706, 7th floor NewTown, West Bengal 700135** through the advertisements published in the leading daily newspapers.

I booked one self contained 3BHK flat measuring 1050sq feet (appx.) @1800/sq ft . The consideration amount of the said flat was Rs. 18,90,000 and I made a payment for Rs. 2,83,500 (Two Lac eighty three thousand five Hundred only) by two cheques drawn on HDFC Bank.

At the time to booking of the flat and making the payment, I was promised that the construction of the project would start by October 2014 and the possession of the flat will be given in the year 2019. After making the payment the company did not share any document related to the project and kept on citing various reasons for the delay in starting of the construction work.

Even after receiving the payment the company Nestwood Estates Pvt. Ltd. did not draw the Agreement for Sale . The company kept on insisting that they will draw the Agreement for Sale once the construction work starts .

When enquired about the construction status they kept on misinforming that the land conversion is in progress . Once the conversion is approved they said that the company have submitted the Construction plan to the local authority for approval

In march 2017 the company offered to move by booking into another housing project “**Gulmohar**” developed by **BACM Projects Pvt. Ltd.** With their registered office at 306, 3rd Floor, PS IXL, Block A, Atghora, New Town , Kolkata 700136 that

was coming up in the same area where the construction for the project “Nestwood Maple” was supposed to happen. I agreed with the proposal as I was assured by “Nestwood Estates Pvt. Ltd. That the construction work for the new project “Gulmohar” would begin very soon and the project will be completed within 3years and the possession of the flat will be provided by the middle of the year 2020 and a Tri-party MoU was signed on 15th July 2017 between **M/S BACM Projects Pvt. Ltd.** Being the **First Part** , **Priyam Ghosh and Subhadip Ghosh** being the **Second Part** and **M/S Nestwood Estates Pvt. Ltd.** being the **Third Part** (herein referred to and called as **CONFIRMING PARTY**) with the condition that Nestwood Estate Pvt. Ltd. will transfer payment amount received to the account of BACM Projects Pvt. Ltd. and will remain as the confirming party till the time the possession of the flat is given to me.

As the construction work did not start till the month of December 2018 , so I made an application to the Nestwood Estate Pvt. Ltd. for withdrawn of my booking and seeking refund on December 2018. They agreed to refund the amount and given a payment schedule starting the payment from May, 2019 and finishing the payment in Feb, 2020. I waited for the payment to be made and followed up with the company several times but they payment was not made and every time a revised schedule has been issued.

Under the above mentioned circumstances I would request the intervention of the Honourable Secretary WB HIRA to help resolve the issue and the refund for my balance payment amount of Rs.2,83,500 (Rupees Two Lac Eighty Thousand Five Hundred) from M/S Nestwood Estates Pvt. Ltd.

This is to bring to the kind attention honorable WBHIRA that the respondent company has defaulted in delivering the flats to the other buyers as well and the case was filed with WBHIRA, reference case number

1. COM000130(Disposed off)
2. COM000129(final hearing on 7th jan, 2020)

Please find the scanned copies of the below mentioned documents attached for your kind perusal.

Document List :

1. Money Receipt
2. Merge with Dharitri Pvt. Ltd
3. Nestwood Maple Welcome Letter
4. Nestwood Maple Letter of Intent
5. Cheques xerox copies
6. Nestwood Gulmohar Introduced
7. MoU
8. Complaint Against Nestwood Estate Pvt. Ltd.
9. Refund Payment schedule

Regards

(Signature)

Priyam Ghosh

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