



Amit Roy <amitavik@gmail.com>

RE: Amit Roy (Apt.7A2, Tower-41)

1 message

Bipin Singh <bipin@hilandcal.com>
 To: Amit Roy <amitavik@gmail.com>
 Cc: Neha Bagla <nbagla@hilandcal.com>

Tue, Aug 21, 2018 at 7:28 PM

Dear Mr. Roy,

This is in reference to your below given mail. Kindly find the replies of your queries highlighted in Yellow.

Regards

Bipin B Singh

Asst. General Manager - Sales & Marketing

HILAND**Sales & Marketing Office:**Anandlok Building, 227 A.J.C Bose Road, Block-B, 4th Floor, Kolkata -700020, India**T:** +91 33 4037 3535 **F:** +91 33 4037 3505**M:** +91 9830210206 **D:** +91 33 4037 3530 **E:** bipin@hilandcal.com**Registered Office:**225C, A.J.C Bose Road, 4th Floor, Kolkata – 700020, India**W:** www.hiland.in

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**From:** Amit Roy [mailto:amitavik@gmail.com]**Sent:** Monday, August 20, 2018 10:19 AM**To:** Bipin Singh**Subject:** Re: Amit Roy (Apt.7A2, Tower-41)

Dear Sir,

This is in reference with your reply mail, dated: 13.08.2018. Thank you for your reply. Kindly let me know when I will get the all documents of registration of my apartment.

- As I mentioned in my email (dated: 10.08.2018) that on the day of registration (24.07.2018) you and your colleague Mr. Jayanta failed to explain in proper way of the calculation of how much money I should get back from Hiland. I told Mr. Jayanta that "I am not convinced about the calculation" and he lost his patience. So I received the cheque for time being and I told him that "I will calculate and let you know". But you denied that situation in your reply mail (dated: 13.08.2018). Anyway, what

you have provided the calculation of registration charge in your reply mail is wrong. You demand the registration fees is Rs. 21670/-, but the actual registration fees is Rs. 17,340/-.

As rightly pointed by you, we had demanded the registration fees is Rs. 21670/-, but the actual registration fees is Rs. 17,340/-. Similarly, we had demanded the Stamp duty as Rs. 1,29,730/-, but the actual stamp duty was Rs. 1,29,728/-. Accordingly as per the below given table after adjusting the received amount with the actual valuation, we have already refunded you Rs. 4332/-

Sl.No.	Tower	Flat No	SD Demanded	Registration Fee Demanded	Actual SD	Actual Registration Fee	Balance
1	41	7A2	129730	21670	129728	17340	4332

2. Regarding the interest on my advanced payment of registration fees Rs. 203800/-, I was waiting for your calculation. But still date I did not get reply from you. I hope you will let me know soon.

Calculation of Interest on Advance Payment - Apartment 7A2, Tower 41, Hiland Greens

Sl. No.	Description	Principal Payment	Registration Payment
1	Dates on which the advance payments were made (i)	9-May-17	9-May-17
2	Amount Paid (ii)	52400	151400
3	Interest Calculated till (iii)	18-Dec-17	24-Jul-18
4	Number of days on which interest has been given (iii - i)	223	441
5	Interest per day (52400 x 12% / 365)	17.227	49.78
6	Total interest for the number of days given in Serial No. 4	3842	21951
7	Less: TDS @ 10%	384	2195
		3458	19756
Total interest receivable on advance payment		23213	

As per your desire, given above is the calculation of your 12% interest on advance payment. As per the above stated calculation, it has been found out that you are eligible for a total interest amount of Rs. 23213/-. Out of the stated amount we have already paid you an amount of Rs. 13447/- on the day of your registration. Hence you are further eligible to get Rs. 9767/- more as interest, the cheque for which is kept ready in our office. You are requested to kindly get it collected from me by any of your representative with a proper authorization letter.

3. Regarding the money receipt of CAM charge, you got the wrong information from your concerned department and they never sent me the receipt copy by email. If so, please forward me the same mail again. Please send me also the hard copy of the money receipt of CAM charge in my home address, as you were sending before.

I have already forwarded you the soft copy of the money receipt in my earlier. Regarding the hard copy, we will send you the same shortly.

4. Regarding "Car Parking" you ignore to reply in my previous mail (dated:10.08.2018). According to the **GTC clause No.13(c)**, on the "date of possession" RDPL shall be liable to transfer the car parking space along with the apartment to the allottee. But unfortunately, **RDPL failed still date to transfer the car parking space to me within the stipulated time**. In this context, RDPL itself is defaulter. So RDPL should pay compensation to me.

As per our GTC clause no. 11d, RDPL had promised compensation to the customers for the delay delivery of the apartment only. Nowhere has the car parking been mentioned as the part of the clause hence no compensation is applicable for the delivery of the car park.

5. As you know that the possession of my flat at Hiland was delayed due to irresponsibility, not responding to my email or call, false commitment of one of your employees, namely Ms. Barnali Bhattacharya, Deputy Manager of Hiland Greens. Therefore, according to the **GTC No.11(d)**, I am entitled to get compensation from RDPL to be calculated **@12.50/- per sq.ft. of 712 sq.ft. per month, effective from the scheduled date (September 2017) of possession till the "date of possession" (23.05.2018)**. The calculation may be as follows.

The number of months delayed to get possession is 9 months (September 2017 to May 2018). So the calculated amount of compensation is **712 sq.ft. X @12.50 X 9 months = 80,100/-**. According to the said clause, RDPL will compensate only the chargeable area of the Apartment and I paid full down payment of my apartment charge within the stipulated time without any delay. So according to GTC No.11(d), RDPL will pay compensation.

Regarding this As per our telephonic discussion on 10th August'2018, you are requested to kindly go thru clause no. 11 (a), 11(b), 11(c) and 11(d), regarding possession. I would like to reiterate that any customer who has defaulted in any of his payments is not eligible for any compensation. Accordingly, since you have defaulted in two of your payments namely Allotment payment and ADHOC Charges payment, we regret to inform you that you are not eligible for any compensation.

Therefore, I request you again to send (a) @12% interest of registration charges, (b) compensation for delay possession, and (c) compensation for delay car parking space in form of cheque in my home address at your earliest.

I would appreciate the point wise reply as soon as possible.

Thanking you and with regards,

Amit Roy
Apt.7A2, Tower-41
Mobile No. 9430017325

On Mon, Aug 13, 2018 at 3:49 PM, Bipin Singh <bipin@hilandcal.com> wrote:

Dear Mr. Roy,

Greetings from Hiland Group!!

As per the trail mail, kindly find the reply below your queries marked in yellow.

Regards

Bipin B Singh

Asst. General Manager - Sales & Marketing

HILAND**Sales & Marketing Office:**Anandlok Building, 227 A.J.C Bose Road, Block-B, 4th Floor, Kolkata -700020, India

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**From:** Amit Roy [mailto:amitavik@gmail.com]**Sent:** Friday, August 10, 2018 12:01 PM**To:** Bipin Singh**Cc:** HILAND GROUP**Subject:** Amit Roy (Apt.7A2, Tower-41)

Dear Sir,

1. I sent you an email (dated: 02-08-2018) regarding the request for return of extra registration fees. But unfortunately, I did not get back from you yet. On the day of registration (24.07.2018) you and your colleague Mr. Jayanta failed to explain in proper way of the calculation of how much money I should get back from Hiland. So I sent you the calculation of extra overpaid registration charges, which I supposed to get back. Please ignore the previous calculation and consider the following calculation.

Mr. Roy, please note that I and my colleague explained the calculation of how much money you will get in proper way and so, you have collected the cheques from us. If you would have not understood the calculation you would have not collected the cheques from us. Once you collected the cheque we were assured that you are all ok with the calculation. We will reconcile the calculation done by you and the calculation done by us and will let you know.

a) I paid **Rs.2,03,800/-** for Stamp Duty= Rs.1,61,800/-, Registration Fees= Rs.27,000/- and Legal Fees= Rs.15,000/- on **08.05.2017** through NEFT. According to the date of registration (dated: 24.07.2018) I have to pay **Rs.1,64,768/-** for Stamp Duty= Rs.1,29,728/-, Registration Fees= Rs.17,340/- and Legal Fees= Rs.17,700/-. So over paid, which have to refund from you is Rs.2,03,800 – Rs.1,64,768 = **Rs.39,032/-**.

b) According to the letter (dated: 24.07.2018) Rs.384/- (interest of electrical infrastructure) will be debited from Rs.39,032/-. So finally I have to get back Rs.39,032 - Rs. 384 = **Rs.38,648/-**.

As per your above query, kindly find the calculation given below:

Sl. No.	Components	Payment Received	Our Demand
1	Stamp Duty	161800	129730
2	Registration Fees	27000	21670

3	Legal Fees	15000	17700
4	Interest on delayed payment	0	1123
Refund done at the time of registration vide cheque no.022981 dated 24.07.18 drawn on HDFC Bank			33578
		203800	203801

c) Regarding the interest @12% (According to your letter, dated: 19.04.2017) I am entitle to get the interest on Rs.2,03,800/- with **period of 441 days** from 08.05.2017 to 23.07.2018. So total interest for 441 days is **Rs.29,548/-**.

Ans. As per your point no. (C) The breakup of 203800/- is: Rs. 151400/- as stamp duty and registration fee taken together and Rs. 52400/- as principal payments which includes Rs. 17700/- towards legal fee + GST @18%). As per the advance demand letter dated- 19th April'2017 you had paid Rs. 203800/- as per the above stated breakup. Since the offer for availing 12% interest was optional so, it was based on tentative figures. Moreover, since the final installed demand was not raised, the payment was not adjusted against any component and was kept as advance ON ACCOUNT.

Finally in the month December when the final installment demand was raised (letter dated- 18th Dec. 2017), it was found that the Statutory charges (Stamp Duty & Registration) had reduced. Gst was added to the legal fee (15000 + 18% of Rs. 15000/-= Rs. 17700/-. Taking all the thee component together it was calculated to Rs. 169100/- (Stamp Duty- 129730/- + Registration- 21670/- + Legal- 17700/-) and hence the balance of (203800-169100- 1123 as interest accrued= Rs. 33577/-) which was kept as a credit balance and finally refunded to you via cheque no. 022981 dated 24.07.18 drawn on HDFC Bank amounting to Rs. 33578/- on the day of the registration.

Regarding the interest calculation of 12%, we shall get back to you once we get a feedback from our concerned department.

d) So Hiland Greens will have to return back to me total Rs.38,648 + Rs.29,548 = **Rs.68,196/-**.

Sir, what will be returned to you depends on the calculation reconciled by our concerned department and yours. We cannot return back the above mentioned amount as per your calculation. Give us some time we will definitely get back to you on the same and if any amount is found to be returned, will be definitely return back to you.

e) But HilandGreens paid to me (dated: 24.07.2018) by Rs.33,578 (Cheque No.022981), Rs.13,447 (Cheque No.022983) and Rs.4332 (Cheque No.022978). So total paid **Rs.51,357/-**.

f) So HilandGreens will pay due amount of Rs. (68,196- 51,357) = **Rs.16,839/-**.

For point no. (e) and (f) Sir, what will be returned to you depends on the calculation reconciled by our concerned department and yours. We cannot return back the above mentioned amount as per your calculation. Give us some time we will definitely get back to you on the same and if any amount is found to be returned, will be definitely return back to you.

2. I have given you the cheque of **Rs.13330/- for CAM charge** on date of registration (24.07.2018). But I did not get the receipt copy. Please let me know when I will get it.

I checked with my concerned department and found that the money receipt had already been sent to your email id, kindly check. If you have not received kindly find attached the same.

3. Moreover, I had been informed by email (customercare@hilandcal.com) on 28.10.2017 that I had been allotted the covered car parking No. **H101**. But I did not get handover the allotted No.H101. So please let me know when I will be handover the allotted covered space for car parking.

Regarding your specific car park

4. As you know that the possession of my flat at Hiland was delayed due to irresponsibility, not responding to my email or call, false commitment of one of your employees, namely Ms. Barnali Bhattacharya, Deputy Manager of Hiland Greens. Therefore, according to the GTC No.11(d), I am entitled to get compensation from RDPL to be calculated **@12.50/- per sq.ft. of 712 sq.ft. per month, effective from the scheduled date (September 2017) of possession till the "date of possession" (23.05.2018)**. The calculation may be as follows.

The number of months delayed to get possession is 9 months (September 2017 to May 2018). So the calculated amount of compensation is **712 sq.ft. X @12.50 X 9 months = 80,100/-**

Regarding this As per our telephonic discussion today (10th August'2018), you are requested to kindly go thru clause no. 11 (a), 11(b), 11(c) and 11(d), regarding possession.

Therefore, I request you to send **Rs.16839+Rs.80,100=Rs.96,939/-** in form of cheque in my home address at your earliest.

I would appreciate the point wise reply as soon as possible.

Thanking you and with regards,

Amit Roy
Apt.7A2, Tower-41
Mobile No. 9430017325