

Speed Post

Sunday, October 07, 2018

SHUBHSHREE HOMES PVT LTD
8 Orphangunj Market
Khidderpore
Kolkata - 700 023.

CHIT 59404525IN CNR:5907159404525

SHUBHSHREE TT B.D. (KOLKATA)

Counter No:1.11/10/2018.12:39

To:SHUBHSHREE HO. 8 ORPHANGUNJ MA

PIN:700023. Khidderpore SO

From:JUNCTIONSE. S. BANERJEE **ALOK PAL**

Wt:250ms

Amt:17.70(Cash)Tax:2.70

<Track on www.indiacost.gov.in>

- Reference : 1) Agreement for Sale dated 05.12.2013 executed by and between Shubhshree Homes Pvt Ltd represented by its Director Sri Sushil Kumar Chowdhury, son of Sri Ratan Lal Agarwal as Owner / Developer and Mr Alok Pal & Mrs Madhurima Pal as Purchasers.(herein after referred to as the said ' Agreement ')
- 2) SHREE NIKETAN, Flat no 6C, 6th flr (north-west corner) premises no 369 Ho- Chi Minh Sarani, Kolkata - 700 061.
- 3) Your letter date 03.10.2018 received on 06.10.2018.

Subject: Blatant violation of the terms of the said Agreement.

Dear Sir,

This has reference to the captioned Agreement for Sale and your above referred letter addressed to the undersigned.

Inspite of several written as well as oral requests on diverse dates you have failed, neglected and avoided to honour the terms of the said Agreement by not providing Completion Certificate on time, i.e. within 24 months from date of execution of the Agreement for Sale, which you are contractually as well as statutorily obligated. Such failure on your part to furnish Completion Certificate on time has consequently led to your denial of handing over possession of the subject flat by simultaneous execution and registration of Indenture of Sale within the aforesaid mentioned time frame. You have not only failed contractually but also statutorily as explained above. Moreso, you are mandated to comply with the provisions of the Section 403 of the Kolkata Municipal Corporation Act, 1980 read with Rule 27 of the Kolkata Municipal Building Rule, 2009. A copy of the said Section 403 of the Kolkata Municipal Corporation Act, 1980 and Rule 27 of the Kolkata Municipal Building Rule, 2009 is annexed herewith as annexures for your ready reference and compliance.

Alok Pal

Therefore, you are, at the first instance, required to provide duly authenticated copy of Completion Certificate issued by Kolkata Municipal Corporation for enabling to take the matter forward without further delay and harassment. Upon your failure to furnish such Completion Certificate within a fortnight from the receipt of this communication, it shall be presumed that you are not in possession of such certificate, as such I shall be at liberty to seek appropriate relief by statutory authority / ies without any further reference, which please note.

This is being issued without prejudice to other legal remedies that may be available under the law and equity.

Thanking you.

Yours faithfully,



ALOK PAL

Enclosure: as stated above.

Residential Address:

‘Starlight Twins’
Flat no 2B, Block – A
245 Bombai Bagan Road
Kolkata – 700 061

(b) to show cause, within such period as may be stated in the notice, why such alterations should not be made.

(2) If such person or such owner does not show any cause as aforesaid, he shall be bound to make the alterations specified in the notice.

(3) If such person or such owner shows the cause as aforesaid, the Municipal Commissioner shall, by an order, either cancel the notice issued under sub-section (1) or confirm the same subject to such modifications as he thinks fit.

403. Completion certificates:-

(1) Every person giving notice under section 393 or section 394 or every owner of a building or a work to which notice relates shall, within one month after the completion of erection of such building or execution of such work, deliver or send or cause to be delivered or sent to the Municipal Commissioner a notice, in writing, of such completion accompanied by a certificate in the form specified in the rules made in this behalf and shall give to the Municipal Commissioner all necessary facilities for inspection of such building or work.

(2) No person shall occupy or permit to be occupied any such building or use or permit to be used any building or a part thereof affected by any such work until permission has been granted by the Municipal Commissioner in this behalf in accordance with the rules and the regulations made under this Act :

Provided that if the Municipal Commissioner fails, within a period of thirty days of receipt of the notice of completion, to communicate his refusal to grant such permission, such person may make a representation in writing to the Mayor.

404. Municipal Building Code:-

(1) The State Government may make rules--

(a) for the regulation or restriction of the use of sites for building, and

(b) for the regulation or restriction of building,

(2) Without prejudice to the generality of the power conferred by sub-section (1), the rules made thereunder may provide for all or any of the following matters :--

(a) information and plans to be submitted together with application under any of the provisions of this Chapter,

(b) requirements of sites,

(c) means of access,

26. Deviation during execution of works

(1) No deviation from the sanctioned plan shall be made during erection or execution of any work.

(2) Notwithstanding anything contained in sub-rule (1)

(a) if during erection or execution of work any internal alteration within the sanctioned covered space which does not violate the provisions of the Act or these rules is intended to be made, the person referred to in sub-rule (1) of rule 4 shall inform the Municipal Commissioner by notice in writing along with a certificate from the Architect or the Licensed Building Surveyor and Structural Engineer, as the case may be, together with drawings incorporating the deviations, and structural calculation in case of structural deviations, stating the nature and purpose of such deviations, at least fifteen days prior to carrying out such erection or execution of work and may thereafter proceed with the execution of such work, subject to the condition that such deviations shall be incorporated in the 'Completion Plan' under sub-rule (2) of rule 27;

(b) if during the erection or execution of the work, any external deviation beyond the sanctioned covered space is intended to be made and which does not violate the provisions of the Act or these rules, the person referred to in sub-rule (1) of rule 4, shall prior to carrying out such erection or execution of works, submit in accordance with the provisions of these rules, a revised plan incorporating the deviation intended to be carried out, for obtaining necessary sanction.

(3) If no notice is served under clause (a) of sub-rule (2), or the work of erection or execution is undertaken without the sanction referred to in clause (b), such erection or execution of work shall be deemed to be in contravention of the provisions of the Act and these rules and shall be dealt with accordingly.

27. Notice of completion

(1) Within one month after the completion of the erection of any new building or execution of any work the applicant shall in the form as specified in Schedule XII, duly countersigned by the Architect or Licensed Building Surveyor and Structural Engineer as the case may be, give notice to the Municipal Commissioner of such completion under section 403 of the Act.

(2) The notice shall be accompanied by 3 sets of building plans (either ammonia print or computer generated print) marked as 'Completion Plans' with all the revisions and modifications including those referred to in sub-rule (2) of rule 26 incorporated therein and clearly stating the occupancy or use-group for which the building or the work has been sanctioned. The plans shall be duly signed by the applicant and the Architect or the Licensed Building Surveyor, and the Structural Engineer, as the case may be.

(3) The notice shall be accompanied by a structural stability certificate duly signed by an Structural Engineer and Architect/ Licensed Building Surveyor, as the case may be, and wherever applicable shall be accompanied by -

(a) in the case of a building having more than three separate and independent residential units or apartments and all buildings other than residential buildings, a certificate from the Licensed Building Surveyor/Architect that internal house drainage and water supply network have been completed to the satisfaction of the Municipal Commissioner;

(b) fire safety certificate, if applicable under the West Bengal Fire Services Act, 1950 (West Bengal Act XVIII of 1950) and the rules made thereunder has been obtained;

You are here [Home](#)>> [Track Consignment](#)[Quick help](#)**Track Consignment**

* Indicates a required field.

* Consignment Number

EW159406525IN

Booked At	Booked On	Destination Pincode	Tariff	Article Type	Delivery Location	Delivered On
Nabadiganta IT SO	11/10/2018 12:42:55	700023	17.70	Speed Post	Khiddirpore SO	12/10/2018 17:10:43

Event Details For : EW159406525IN Current Status : Item Delivered

Date	Time	Office	Event
12/10/2018	17:10:43	Khiddirpore SO	Item Delivered
12/10/2018	10:15:34	Khiddirpore SO	Out for Delivery
12/10/2018	08:35:20	Khiddirpore SO	Item Received
11/10/2018	12:42:55	Nabadiganta IT SO	Item Booked

[More Information >>](#)

Booked At	Booked On	Destination Pincode	Tariff	Article Type	Delivered At	Delivered On
					Khiddirpore S.O	12/10/2018

Event Details For : EW159406525IN Current Status : Item delivered at Khiddirpore S.O

Date	Time	Office	Event
12/10/2018	17:10:43	Khiddirpore S.O	Item delivered
12/10/2018	08:17:51	Khiddirpore S.O	Bag Received
12/10/2018	03:11:33	NSH KOLKATA AIRPORT	Bag Despatched to Khiddirpore S.O
12/10/2018	02:14:58	NSH KOLKATA AIRPORT	Item Bagged for Khiddirpore S.O
12/10/2018	02:13:58	NSH KOLKATA AIRPORT	Item Received
11/10/2018	18:36:57	NSH KOLKATA AIRPORT	Item Received

[Home](#) | [About Us](#) | [Employee Corner](#) | [Tenders India](#) | [Forms](#) | [Right To Information](#) | [Opportunities](#) | [Holidays](#) | [Website Policies](#) | [Related sites](#) | [Feedback](#) | [Contact Us](#) |

This website belongs to Department of Posts, Ministry of Communications, Government of India

Site Created and Maintained by Tata Consultancy Services Ltd.
Last updated ----- 24-Oct-2018

Registered Office Address

Department of Posts
Dak Bhawan, Sansad Marg
New-Delhi-110001.

