



Real Estate Regulatory Authority

Government of Himachal Pradesh

Complaint Application

Application No.

RERAHPKACTA07180006

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Complaint Details

Complaint Subject	Complaint against MS Shri Builders Through Its Prop. Sh. Uday Sawroop Bharadwaj
Facts of the complaint	<p>Sir, I'm a super Citizen of the age 81 years old and retired from Himachal Pradesh Health Services. I booked a flat no S-10 measuring 1093 Sqft. Situated in the second Floor in Shri Panchsheel complex on the plot at Mohal and Mauja Plampur Khaas Plampur on NH22. And paid rupees 2 lacks out of 23 lacks of total cost to the builder as booking amount and requested him for execution for the sale agreement but the builder kept on postponing the execution of the agreement deliberately on one pretext or other till 18-10-2010 (more than 3 and half months after booking date) By this time I had already paid rupees 15.5 Lacks in advance as goodwill as asked for time and again by the builder. Then on 18-10-2010 he called me in his office to sign the agreement which was prepared by the builder without consulting me. I objected to all the clauses of agreement which were totally in the favor of the builder. Penalty clause for the builder was also missing. On my repeated objection he gave out assurances that no problem will ever arise in the future and the possession will be given within 9 months and he said that all allottees have signed similar agreements. As the builder being in a dominant position as he already accepted rupees 15.5 Lacks, I had no option but to sign the agreement. After I paid the full amount of consideration of 23 lacks within 1 year, the builder should have ended over possession within one year after booking, but so far neither possession nor any compensation has been paid except assurances. Though more than 8 years have elapsed since booking of the flat.</p> <p>People say that after collection of huge amounts in advance from allottees the builder had diverted the money to construct that hotel named Citadel Resorts at Jia village Tehsil Palampur which was under construction at that time and had been completed long back.</p> <p>As per guidelines the builder should not have asked for the entire money in advance before signing the agreement.</p> <p>Probably the project is not registered so far. While all new or ongoing projects should have been registered by 31-July-2017 as per RERA Notification.</p>
Reliefs Sought	1 To deliver of the possession within one month 2 Builder may be directed to pay cumulative interest @18% of per annum from the date of first payment till possession date. 3 Compensation of Rupees of five lacks on account of mental harassment and mental agony. 4 Cost of complaint and other relief with this honorable regulatory authority seems fit and proper





Complainant Details

	Personal Info	Contact Details	Address	Notice Address
1.	RAMESH CHANDRA SAXENA Father : Sh. UMA CHARAN SAXENA Type : Allottee	9418472602 drrcsaxenaa@gmail.com	Village Thru Near Cold Store, Post Office Nagrota Bagwan, Tehsil Nagrota, Kangra, Himachal Pradesh, 176047	Village Thru Near Cold Store, Post Office Nagrota Bagwan, Tehsil Nagrota, Kangra, Himachal Pradesh, 176047

Respondent Details

	Personal Info	Contact Details	Address
1.	UDAY SAWROOP BHARADWAJ Type : Project Category : Individual	9305515086 udai.bhardwajjiya@gmail.com	Shop no. 122, First Flore Old Bus Stand Market, Kangra, Himachal Pradesh, 176047

Documents relied upon by the complainant and referred to in the complaint

1.	Payment Slips	 
2.	NA	 

Other Documents as annexed along with the complaint

 No Records to Display

Declaration

Jurisdiction of the Authority

I **DR. R. C SAXENA** declare that the subject matter of the claim falls within the jurisdiction of the authority.

Complaint not pending with any other Court

Whether this Complaint is pending with any other court, etc.? : **No**

I **DR. R. C SAXENA** declare that the matter regarding which this complaint has been made is not pending before any court of law or any other authority or any other tribunal(s).

Declaration and Verification

I **DR. R. C SAXENA**, S/O **Lt. Sh. UMA CHARAN SAXENA** do hereby verify that the given details are true to my personal knowledge and belief and the i have not suppressed any material fact(s).

Place : **Kangra**

Date : **24/07/2018**

Registration Fee

Fee Amount

₹ 500

Payment Status :  **Payment Received**

Payment Mode : **Online**

Transaction No. : **325892018072414123**

Transaction Date : **24/07/2018 12:00 AM**

Bank Details : **NA**