

BEFORE THE REAL ESTATE REGULATORY AUTHORITY, UTTAR PRADESH

HON'BLE BENCH NO..... LUCKNOW/ GAUTAM BUDDH NAGAR

COMPLAINT NO.....

IN THE MATTER OF:

.....

...COMPLAINANT(S)

VERSUS

.....

...OPPOSITE PARTY

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Date:

Complainant

Place:

Through

Counsel for the Complainant

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Memo of the Parties:

1. Particulars of the complainant(s):

(i) Name(s) of the complainant(s) [including co-allottees (if any)]

(Name of Legal heirs in case the original allottee is deceased)

(ii) Address of the existing office / residence of the complainant:

(iii) Address for service of all notices:

(iv) Contact Details (Phone number, e-mail, Fax Number etc.): **...Complainant(s)**

Versus

2. Particulars of the Opposite Party:

(i) Name(s) of respondent:

(ii) Office address of the respondent:

(iii) Address for service of all notices:

(iv) Contact Details (Phone number, e-mail, Fax Number etc.): **...Opposite party**

Date:

Complainant

Place:

Through

Counsel for the Complainant

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Synopsis & List of Dates and Events

S.No.	Dates	Events

Date:

Complainant

Place:

Through

Counsel for the Complainant

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Complaint under section 31 of Real Estate (Regulation and Development) Act, 2016

A. Jurisdiction of the Authority: The complainant shall declare that the subject matter of the claim falls within the territorial jurisdiction of the Lucknow/ NCR Bench of Authority.

B. Facts of the case: [give a concise statement of facts and grounds for complaint. The concise facts of the case shall contain following factual details-

1. Name of Promoter and Project along with Project Registration Number
2. Date of application/registration form/booking form
3. Booking amount paid at the time of registration.
4. Date of allotment (as mentioned in the Allotment Letter issued by the Opposite Party)
5. Cost of Unit (as mentioned in the Allotment Letter or Builder Buyer Agreement)
6. Apartment/Plot/Unit/Villa No. (If there is any change in the unit number, please also mention the same including description of the property. Kindly also state the reason for change in the unit number).
7. Agreement for Sale or Builder Buyer Agreement (details of the agreement for sale/Builder Buyer Agreement such as date etc.)
8. Promised date of possession as mentioned in Allotment letter/ BBA.
9. Total amount Paid (including booking amount) paid by the Complainant as consideration of the abovementioned unit in accordance with the Allotment letter/ BBA.
10. Sanctioned Loan Amount along with Disbursed Loan Amount and Tripartite Agreement Date (The complainant may also mention any other relevant information such as repayment of the entire loan amount, payment

of installments of the EMIs of the loan by the Complainant or payment of Pre EMIs by the Opposite Party as per the Tri-partite Agreement)

11. Offer of possession (intimation for offer of possession by the Opposite Party to the Complainants)
12. Actual date of possession
13. O.C./C.C. Application date and status of O.C./C.C (as may be applicable and if it is in the knowledge of Complainant)
14. Sale deed/Sub-Lease deed date (if the sale deed/Sub lease deed has been executed or intimation to execute the Sale deed/Sub-Lease deed was given by the Opposite party to the Complainant)
15. Date of cancellation/termination (if applicable)
16. Refund received by the complainant from the Opposite Party after Cancellation/ termination of allotment, if any
17. If any third-party right was created by the Opposite Party with respect to the unit allotted to the Complainant.
18. Whether any conciliation has taken place with respect to the unit in question between the parties prior to filing of this complaint.(if yes, please mention the dates of conciliation proceedings and also the outcome of the said proceedings.)
19. Whether the complainant has filed any complaint for compensation before Adjudicating Officer in respect of the same unit.
- 20. In Case of Death of Allottee/Co-Allottee**
 - a). Death Certificate
 - b). Legal Heir Certificate
 - c). NOC from other legal heirs of the deceased Allottee/Co-Allotte.
21. Any other relevant fact pertaining to the complaint. (in 200 words)

C. Relief(s) sought: In view of the facts mentioned in paragraph above, the complainant prays for the following relief(s)

_____.

[Specify below the relief(s) claimed explaining the grounds of relief(s) and the legal provisions (if any) relied upon]

D. Interim relief, if prayed for: Pending final decision on the complaint the complainant seeks the following interim relief:

[Give here the nature of the interim relief prayed for with reasons]

E. Complainant not pending with any other court, etc.:

The complainant shall further 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).

Complainant(s)

Verification

I _____ (name in full block letters) [son / daughter] of _____ the complainant do hereby verify that the contents of paragraphs [A to E] are true to my personal knowledge and belief and that I have not suppressed any material fact(s).

Date:

Complainant(s)

Place:

Through

Counsel for the Complainant

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List of Enclosures:

The List of enclosures shall contain followings:

- 1) An index of documents
- 2) Other documents as annexed along with the complaint

Date:

Complainant

Place:

Through

Counsel for the Complainant

Instruction:

Every complaint shall be filed in English or Hindi and shall be fairly and legibly printed in double spacing on both side of standard A-4 paper with an inner margin of about four centimeters width on top and with a right margin on 2.5 cm, and left margin of 5 cm, duly paginated, indexed and stitched together in paper book form.