Consumer Grievance Assistance Chatbot: Hi! I am your consumer grievance assistance tool. Kindly let me know how I can help you.

User: I want to file a complaint against a real estate developer TDI Infracorp Ltd. They have not given me possession of the flat I booked even after many years.

Consumer Grievance Assistance Chatbot: I'm sorry to hear that. Let me try to assist you. Could you please provide some more details about your booking? When did you book the flat and in which project?

User: I booked a floor in their project called "Waterside Floors in Lake Grove City" in Sonipat, Haryana. Their sales representative approached me and my husband in April 2013 and convinced us to book by making false promises. We paid the booking amount of Rs. 5,50,000 on 13th April 2013 itself.

Consumer Grievance Assistance Chatbot: I see. Do you have any receipt or acknowledgment for that booking amount paid on 13.04.2013?

User: Yes, I have the receipt for the booking cheque of Rs. 5,50,000 which they encashed on 1st May 2013. I made further payments totaling Rs. 17,57,000 till September 2013.

Consumer Grievance Assistance Chatbot: Okay, please keep all those payment receipts safe as they will be important evidence. Did you get any allotment letter for the flat after making these payments?

User: Yes, after a delay of 4 months, they gave an allotment letter. It mentioned the flat no. as WF-139/FF on the first floor having an area of 1400 sq.ft. But the letter did not mention any date of possession.

Consumer Grievance Assistance Chatbot: Alright. The allotment letter is also a crucial document. Did you later sign any Builder Buyer Agreement with the developer?

User: Yes, they made me sign an agreement on 2nd January 2014. The agreement was completely one-sided favoring the builder. It had unfair clauses penalizing me with 18% interest for any delayed payments but only gave me Rs. 5/sq.ft./month compensation for delayed possession. And it mentioned the possession date as 4 years from the agreement date, not from my booking date.

Consumer Grievance Assistance Chatbot: I understand your concern. Unfortunately, many builders use such biased agreements. But the good thing is you have the signed copy which can be presented as evidence of the developer's promise to handover by January 2018. What happened after the agreement was signed? Did they complete the construction?

User: No, the construction barely progressed even though I paid almost 95% of the total flat cost of Rs. 61,72,317/-. Apart from the booking amount and initial payment, I have paid up to Rs. 57,87,403/- in total. But it's been more than 10 years now and I still don't have the possession!

Consumer Grievance Assistance Chatbot: This is a clear case of deficiency in service and unfair trade practice by the developer. Did you send any legal notice to them before approaching me?

User: Yes, I sent them two notices - first on 18th July 2019 and then on 17th February 2020, demanding a refund. But they did not bother to reply. That's why I want to file a strong consumer complaint now. This delay has caused me a lot of mental agony as I had invested all my savings in this flat.

Consumer Grievance Assistance Chatbot: I completely empathize with you. Let me assure you that you have a strong case against the developer under the Consumer Protection Act. For drafting an effective complaint, I need some more information. Could you please tell me your complete address for the complaint?

User: Sure, here are my details -

Kanta Devi, D/o Late Sh. Ram Kishan, Age 65 years, Occupation - Housewife

Address - D1 170, Pocket 24, Sector 24, Rohini, Delhi-110085.

Phone - +91-9650102142, Email - ssehrawat@csuchico.edu

Consumer Grievance Assistance Chatbot: Thank you. Now please give me the complete address and contact details of the Opposite Party/Developer.

User: The details of the builder company are:

TDI Infracorp Limited

Regd. Office - 11 Tolstoy Marg, Connaught Place, New Delhi-110001

Phone - 011-43111111, Email - info@tdiinfracorp.com

Consumer Grievance Assistance Chatbot: Great. To determine the territorial jurisdiction for filing the complaint, could you tell me where did you sign the booking form and agreement? Was it in Delhi?

User: Yes, their office was in Delhi at that time and all transactions happened in Delhi only. I am also a permanent resident of Delhi as mentioned in my address.

Consumer Grievance Assistance Chatbot: In that case, you can file the complaint before the District Consumer Forum in Delhi itself as the cause of action partially arose here. I will mention this in the complaint. Now, what all problems did you face due to the builder's actions? We need to put that in detail.

User: See, I had invested all my life savings in this flat, hoping to get possession in 4 years as promised. The delay has derailed all my financial and retirement plans. I have suffered from a lot of tension, mental harassment and sleepless nights due to this uncertainty at such an old age. All my requests and notices to the builder have been in vain so far.

Consumer Grievance Assistance Chatbot: I can understand how much agony this must have caused you. It is the builder's duty to fulfill their commitments and not harass senior citizens like you. I will elaborately mention these points in the complaint to make a strong case of deficiency and unfair trade practices.

For filing the complaint in the District Forum, we need to pay the prescribed court fees. I will check the exact amount based on the compensation claimed and let you know.

One last thing - have you filed any other complaint in this matter before any other court or forum?

User: No, this is the first time I am filing a formal complaint. I have only sent legal notices to the builder so far.

Consumer Grievance Assistance Chatbot: please scan and keep handy all the receipts, allotment letter, agreement and notices for submitting to the consumer forum.This will help you to prove your case.

User: I will make a copy of all the evidence that will be used in the further process. Kindly draft a consumer complaint for me.

Consumer Grievance Assistance Chatbot: Thank you. The evidence would help us shield our case. On the basis of the documents that you have given me, Here is your [complaint](https://docs.google.com/document/d/1-8LZhUP8Ma_FwAP8VCMF0fQLjzwW7glhtfWdqiRq_r0/edit). Please fill in the details that have been left blank, such as the date and your signature. In addition to the complaint, you must also submit an affidavit and a document called the “Memorandum of Parties”. Do you want me to provide you with the pre-filled versions of the same?

User:Yes, it will be great if you can do that as well.

Consumer Grievance Assistance Chatbot: Here is your [affidavit](https://docs.google.com/document/d/1weXgDlkTFu0tdYgymKRpQmGjWVRFNO8frzZCJaSUbfE/edit) and [MoP](https://docs.google.com/document/d/1RAW193YPX7sHroL6q_2R01tAO2SXa4fWRhUpkf4Iaqg/edit). You are required to fill in the details that have been left empty in both the documents. Further, you must get the affidavit notarised. In case of any queries regarding how you can get the Affidavit notarised, feel free to approach me anytime. After filling all the documents and getting the affidavit notarised, you can file your complaint on E-daakhil, the portal for consumer redressal. Do you want me to provide you with a step-by-step guide on how to file your complaint on E-daakhil?

User: Yes, it will be great if you can give me a step-by-step guide on how I can file this.

Consumer Grievance Assistance Chatbot: You have to follow these steps in order to file a complaint:-

1. Create an account on E-daakhil.
2. Verify your email address and login
3. Go to “Consumer Complaint” and accept the terms and conditions by clicking the “accept” button after carefully reading the terms. If you have any queries regarding the terms, please let me know.
4. Click “Consumer Complaint” and enter the claim amount that you are seeking.
5. Select New Delhi as the State and North Delhi as the district. Click continue to proceed to the “Case Details” page.
6. On the “Case Details” page, enter all the necessary details and in case of any queries, please let me know.
7. In the “Party Name” section, enter the name of the parties. In the “Advocate” Section, enter the details of your advocate and if you do not have an advocate, you can leave it blank.
8. In the “Complaint Section”, you can provide the following as your complaint:-

“The complainant, Kanta Devi, a senior citizen, booked a flat with TDI Infracorp Ltd. in April 2013 by paying a booking amount and further installments totaling Rs. 57,87,403/-. Despite receiving over 95% of the flat's cost, the builder failed to deliver possession even after 10 years, causing immense mental agony and financial losses to the complainant. The builder also compelled her to sign an unfair agreement with one-sided clauses. The complainant sent legal notices demanding refund with interest and compensation, but to no avail. Aggrieved by the builder's deficiency in service and unfair trade practices, the complainant has filed the present consumer complaint seeking refund, interest, compensation and costs..”

1. In the next section, enter the necessary details and attach a filled copy of the Complaint and the Affidavit along with the Memorandum of Parties.
2. In the next section, verify the details of your complaint and submit your complaint.
3. On the “Pending Complaints” page, you will be required to pay the necessary fees.

Please note that under the Consumer Protection Act 2019, the Consumer Court can request the parties to go for mediation. However, both parties must agree for the matter to be sent for mediation. However, if the parties do not arrive at an amicable settlement, the matter is sent back to the court.

User: Got it. I will not agree for mediation.

Consumer Grievance Assistance Chatbot: In that case, the consumer court in New Delhi has to proceed with the case. In case you get any problem in the above process or have any doubt, I would suggest you to call the National Consumer Helpline at 1800-11-4000 for information, advice, or guidance on complaints. You can also call 14404 or send a message to 8130009809. You can also register a complaint through the NCH app. Is there anything else you need?

User:No. Thank you very much for the assistance!

Consumer Grievance Assistance Chatbot: Thank you for using the tool. Feel free to raise further queries anytime or you can log on to https://consumeraffairs.nic.in/ or dial 1800-11-4000 (National Consumer Helpline) for more information.