

Legal Notice

To,

Sri Ved Prakash Singh,
M/S Engineering Service And Solutions,
Hanuman Mandir, Saroday Nagar, Lucknow
Varanasi Marg Doorbhash Nagar, Raebareilly-
229010 Uttar Pradesh, India
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Under the instructions and on behalf of my client Km. Manjula Sircar, D/o Sri Virendra Kumar Sircar, R/o C-4/35, Gomti Nagar Extension, Lucknow, I hereby serve upon you the instant legal notice in the terms below:-

1. That my client had contacted you in August, 2023 on the recommendation of Sri Atul Saxena, Architect, Lucknow for the construction of a servant room on the terrace of her house no. C-4/35, Gomti Nagar Extension, Lucknow.
2. That you visited my client's house in August, 2023 and inspected the site of temporary construction and assured my client for completion of the said construction work within three days. Pursuant to your above assurances, you took an advance of Rs. One Lakh from my client with respect to the said work, but delayed the construction of the guard room for several months which was finally constructed in November, 2023. My client paid you a total of Rupees Two Lakhs Four Thousand (Rs. 2,04,000/-) for the construction of the servant room.
3. That you also belatedly gave a certificate to my client to the effect that the structure was safe and stable in all respects and work quality was good and acceptable.
4. That on 14th July, 2024, the servant room was opened for the new servant and it was found filled with one inch water and all the mattresses and 'Razais' stored there for the use of servants were drenched in water.
5. That you were informed immediately to inspect and rectify the leakage but you delayed the corrective action needed and came only on 22.7.2024. There was no outlet for water in the servant room and despite several attempts to mop the water, the water seeped into the floor.
6. That you were asked by my client to identify the problem before undertaking repairs but you haphazardly did some repairs in the absence of my client.
7. That when it rained again, the water seeped into the guard room again. Mr. Saroj Kumar, your colleague, told my client that the water was seeping in through the channel and a crack in the door way.
8. That water was also accumulating on the southern side of the wall and seeping into the floor. Mr. Saroj Kumar told my client that the problem was because of the slope on the terrace. When asked by my client, why he and you had not taken into account the slope before constructing the servant room, he replied that he had not come with the equipment to check slope when he came to inspect the site before construction which shows the casual manner in which Mr. Saroj Kumar and you have constructed the servant room. Due to repeated seepage of water, the servant room was rendered inhabitable for almost two months and since the monsoon season will end only in September-October, the problem will keep recurring.
9. That you have not been able to find a satisfactory solution to the problem of my client. You never told my client anything about the slope at the time of construction because you yourself had not inspected the site carefully before construction.

Manjula Sircar
16.08.2024 e

Madhulika Sircar

10. That additionally, the massive seepage of water through the terrace is also causing damage to the first floor rooms of my client's house because of which my client asked you to immediately remove the temporary structure which you have not removed till 13.08.2024.

11. That the very purpose of getting the servant room constructed has failed within a few months of construction because of above stated faulty construction done by you, for which you are wholly responsible.

Wherefore, in the aforesaid facts and circumstances, vide the present legal notice, you are hereby called upon to get the servant room of my client, which is a temporary structure, removed and to return the amount of Rs. 1,70,000/- (after excluding GST) to my client which she paid to you for the construction of the servant room, within 15 days of the receipt of the instant legal notice, as the above construction made by you has been rendered inhabitable due to faulty construction work done by you and which is also causing damage to the first floor rooms of her house because of recurrent heavy seepage of water. In case you fail to do the same within the stipulated time of 15 days, my client would initiate legal action against you before the competent court of law with respect to your aforesaid negligence, deficiency in service, cheating, fraud etc. committed against her in relation to the above mentioned construction work.

Dated-16.08.2024

Manjula Sircar
16.08.2024

From,
Madhulika Sircar
(Km. Madhulika Sircar) 16-8-24
Advocate,
4C/35, Sector-4,
Gomti Nagar Extension,
High Court Lucknow Bench,
Lucknow.
Mobile No:-9415910917

Note:

This notice runs into two pages which are not torn in any manner. Please preserve this notice, as this notice would be summoned in the court concerned in future.