

Paresh Singla
Vs.
BPTP Ltd.
CM No.1221 of 2023
In Appeal No. 574 of 2023

Present: Mr. Rajan Kumar Hans, Advocate
for the appellant.

Mr. Hans contends that allotment letter in respect of plot measuring 495 sq. yds was issued by the Respondent (BPTP Ltd.) on 31.03.2022. Demand letter was issued after payment of earnest money of Rs. 50 lacs odd. As per counsel for the appellant, letter dated 20.05.2022 was received by the allottee wherein demand for the payment of 25% of the sale was consideration made. According to him, by that time, Builder Buyer's Agreement was not executed. The reason for issuance of the demand letter is, thus, not clear. Last date for making the payment mentioned therein was 29.06.2022. Acting *post haste*, the respondent issued a cancellation letter dated 29.06.2022. Referring to clause 11 of the application form, he submits that even on expiry of the date i.e. 29.06.2022, the promoter had to wait to issue notice for cancellation of the unit. In terms of such clause, the date would have been 17.09.2023. As per him, all these aspects have been ignored by the Authority.

Appeal be registered.

Issue notice for 06.12.2023.

Process be issued for this purpose.

Justice Rajan Gupta
Chairman
Haryana Real Estate Appellate Tribunal

Anil Kumar Gupta
Member (Technical)

06.11.2023
Manoj Rana