



HARERA
GURUGRAM

**HARYANA REAL ESTATE REGULATORY AUTHORITY
GURUGRAM**

हरियाणा भू-संपदा विनियामक प्राधिकरण, गुरुग्राम

New PWD Rest House, Civil Lines, Gurugram, Haryana

नया पी. डब्ल्यू. डी. विश्राम गृह, सिविल लाईंस, गुरुग्राम, हरियाणा

PROCEEDINGS OF THE DAY		24
Day and Date	Thursday and 13.11.2025	
Complaint No.	CR/1008/2024 Case titled as Vishal Chadha and Radhika Chadha VS Sobha Limited	
Complainant	Vishal Chadha and Radhika Chadha	
Represented through	Shri Bhajan Lal Jangra Advocate	
Respondent	Sobha Limited	
Respondent Represented	Ms. Priyanka Agarwal Advocate	
Last date of hearing	25.09.2025	
Proceeding Recorded by	Naresh Kumari and HR Mehta	

Proceedings

The present complaint was filed on 28.03.2024 and reply on behalf of respondent was filed on 22.08.2024.

Succinct facts of the case are as under:

S. N.	Particulars	Details
1.	Name of the project	Sobha City Phase - 1 Part - 2, Sector 108-Gurugram
2.	Nature of the project	Group Housing Colony
3.	RERA registered or not registered	115 of 2017 dated 28.08.2017 valid upto 01.05.2022
4.	DTCP license	107 of 2008 dated 27.05.2008
5.	Unit no.	B2-154, 14 th floor (page 59 of complaint)
6.	Unit admeasuring	2003.45 sq. ft. (super area) 1280.17 sq. ft. (carpet area) 171.45 sq. ft. (balcony area) (page 59 of complaint)
7.	Agreement to sell	13.07.2018 (page 54 of complaint)
8.	Possession clause	4.1 Possession <i>.....The Promoter assures to hand over possession of the Unit/Apartment for Residential usage along with parking as per agreed terms and conditions on or before 31/10/2021, subject to further grace period until 01/05/2022 unless there is delay due to 'Force Majeure Events', Court orders, Government policy/guidelines, decisions,</i>



HARERA
GURUGRAM

HARYANA REAL ESTATE REGULATORY AUTHORITY
GURUGRAM

हरियाणा भू-संपदा विनियामक प्राधिकरण, गुरुग्राम

CR/1008/2024

New PWD Rest House, Civil Lines, Gurugram, Haryana

नया पी. डब्ल्यू. डी. विश्राम गृह, सिविल लाईंस, गुरुग्राम, हरियाणा

		<i>affecting the regular development of the Phase-1, Part-2 of the Project. If the completion of the Phase-1, Part-2 of the Project is delayed due to the above Conditions, then the Allottees) agrees that the Promoter shall be entitled to the extension of time for delivery of possession of the Unit/ Apartment for Residential usage along with parking.</i> (Emphasis Supplied)
9.	Due date of possession	01.05.2022 (including grace period being unconditional and unqualified as per possession clause 4.1 of the agreement)
10.	Total sale consideration	Rs.2,06,09,928/- (page 111 of complaint)
11.	Amount paid by the complainant	Rs.24,94,087/- (as per cancellation mail dated 31.07.2022 page 123 of reply also as submitted by complainant's page 06 of complaint)
12.	Payment Plan	Subvention Payment Plan (page 54 of reply)
13.	Demand Notices	Not on record
14.	Cancellation letter	31.07.2022 vide email (page 67 of reply)
15.	Occupation certificate	02.11.2022 (copy of OC, submitted by the respondent during the course of hearing today)
16.	Offer of possession	Not offered

The counsel for the complainants states that the complainants are seeking direction to withdraw the cancellation letter dated 31.07.2022 and restore the allotment of the apartment or an alternative, if the allotted apartment has been sold in breach of correspondence over mail/ATS the respondent be directed to allot same or similar flat in the project at previously allotted rates as mentioned in the agreement to sell dated 25.07.2018 and an appropriate the amount already paid of Rs.24,94,087/- towards sale consideration and to pay delayed possession charges.

Further, the complainants have paid Rs.24,94,087/- towards sale consideration of Rs.2,06,09,928/- of the subject unit. As per clause no. 4.1 of the agreement dated 13.07.2018, the possession was to be offered on or before 31.10.2021. Initially the respondent has offered payment plan under



HARERA
GURUGRAM

HARYANA REAL ESTATE REGULATORY AUTHORITY
GURUGRAM

हरियाणा भू-संपदा विनियामक प्राधिकरण, गुरुग्राम
CR/108/2024

New PWD Rest House, Civil Lines, Gurugram, Haryana

नया पी. डब्ल्यू. डी. विश्राम गृह, सिविल लाईंस, गुरुग्राम, हरियाणा

subvention scheme of 10:75:15 (10% payable on booking by the complainants, 75% was to be paid through Bank finance and rest 15% out of which 5% to be payable on completion of internal plaster work of the unit/flat 10% to be payable at the time of possession). However, on refusal by the complainants to agree upon to the changed payment plan of 10:10:80, the respondent vide mail dated 25.05.2020 again casted pressure on the complainants to agree upon the same and further cancelled the unit vide email dated 31.07.2022.

On contrary, the respondent submits that at the time of booking the complainants have opted the subvention linked payment plan, but in the year 2018, various restriction imposed by the Government, therefore, the respondent was unable to provide the said payment plan. Further, the respondent contended that the respondent has offered several payment plan i.e., 10:10:80 and 10:85:5, further, states that the complainants had failed to pay the outstanding dues and due to non-payment of outstanding dues, the respondent has cancelled the unit vide cancellation letter dated 31.07.2022. Moreover, the project stands completed way back in 2022 and the occupation certificate was also obtained on 02.11.2022 from the competent authority.

Arguments heard.

Order reserved.

Parties may file brief written submissions within a period of 2 weeks with an advance copy to each other.

Matter to come up on 11.12.2025 for pronouncement of order.


P.S. Saini
Member
13.11.2025