



HARERA
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HARYANA REAL ESTATE REGULATORY AUTHORITY
GURUGRAM

हरियाणा भू-संपदा विनियामक प्राधिकरण, गुरुग्राम

New PWD Rest House, Civil Lines, Gurugram, Haryana

नया पी.डब्ल्यू.डी. विधाम गृह, सिविल लाइन्स गुरुग्राम, हरियाणा

PROCEEDINGS OF THE DAY

10

Day and Date	Tuesday and 29.08.2023
Complaint No.	MA No. 16/2023 in CR/1012/2018 Case titled as Daljit Singh Dalal Vs VSR Infratech Private Limited
Complainant	Daljit Singh Dalal
Represented through	Complainant in person
Respondent	VSR Infratech Private Limited
Respondent Represented through	Ms Unnati Anand, Advocate
Last date of hearing	18.7.2023
Proceeding Recorded by	Naresh Kumari and HR Mehta

Proceedings

The present complaint was disposed of vide order dated 07.02.2019 with a direction to refund the entire amount of Rs. 33,72,970/- along with prescribed rate of interest @ 10.75% per annum within 90 days from the date of decision.

Thereafter complainant filed an application for execution of decree which was disposed of vide order dated 22.01.2021. The relevant para of execution order 22.01.2021 is reiterated as under:

3. As per the calculation given by the Decree Holder and also as per the office report the total amount to be paid by the judgement Debtor to the Decree Holder as per the directions contained in the decree comes out to Rs. 81,04,913/-.

The complainant has filed an application dated 01.03.2023 regarding rectification/clarification of decree wherein it is stated that the decree is for simple interest in spite of the decree being speaking loud and clear for the claim of payment of interest at the prescribed rate of interest for every month of delay which impels the compound interest only, therefore the complainant has approached the Ld. Authority vide present application seeking clarification of the same.



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The relevant portion of order dated 07.02.2019 for which clarification has been sought is reproduced herein below for ready reference:


"It is ordered that the respondent shall refund the entire amount paid by the complainant i.e., Rs. 33,72,970/- along with the prescribed rate of interest @10.75% per annum within 90 days from the date of decision."

Arguments heard.


Order reserved.

Meanwhile, the parties may file written arguments within a period of one week after supplying a copy to each other.

Detailed orders will follow.


Sanjeev Kumar Arora
Member


Ashok Sangwan
Member


Vijay Kumar Goyal
Member
29.08.2023