

PROCEEDINGS OF THE DAY
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Day and Date	Tuesday and 13.08.2024
Complaint No.	CR/1080/2023 Case titled as Deepak Sisodia VS Ocean Seven Buildtech Private Limited
Complainant	Deepak Sisodia
Represented through	Shri Akand Pratap Singh Advocate
Respondent	Ocean Seven Buildtech Private Limited
Respondent Represented through	Ms. Urvashi proxy counsel
Last date of hearing	24.05.2024
Proceeding Recorded by	Naresh Kumari and HR Mehta

Proceedings

The present complaint was filed on 28.03.2023. Despite multiple opportunities to the respondent, the respondent has failed to file reply and in view of the same, the defence of the respondent is ordered to be struck off.

Succinct facts of the case as per pleadings and annexures are as under:

S. N.	Particulars	Details
1.	Name of the project	The Venetian, Sector- 70, Gurugram, Haryana
2.	Project area	5.10 acres
3.	Nature of the project	Affordable group housing colony
4.	DTCP license no. and validity status	103 of 2019 dated 05.09.2019 Valid up to 04.09.2024
5.	Name of licensee	Shree Ratan Lal and others
6.	Building plan approval dated	07.02.2020 (As per DTCP website)
7.	Environment clearance dated	Not obtained till date
8.	RERA Registered/ not registered	Registered vide no. 39 of 2020 dated 27.10.2020 Valid upto 02.09.2024
7.	Allotment letter	09.03.2021 [Page 16 of complaint]
8.	Builder buyer agreement	Not executed
9.	Flat no.	0203, tower 2 [Page 16 of complaint]
10.	Unit admeasuring	571.105 sq. ft. (carpet area) (Page 16 of the complaint)
11.	Possession clause as per Affordable housing policy, 2013	1(IV) of the Affordable Housing Policy, 2013 <i>All such projects shall be required to be</i>

New PWD Rest House, Civil Lines, Gurugram, Haryana

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

		<i>necessarily completed within 4 years from the approval of building plans or grant of environmental clearance, whichever is later. This date shall be referred to as the "date of commencement of project" for the purpose of this policy. The licenses shall not be renewed beyond the said 4 years period from the date of commencement of project.</i>
12.	Due date of possession	Cannot be ascertained
13.	Total sale price of the flat	Rs.23,00,000/- [As alleged by the complainant at page 14 of complaint]
14.	Amount paid by the complainant	Rs.5,88,022/- [As alleged by complainant at page 14 of complaint]
15.	Surrender request by the complainant through legal notice	11.10.2022 [page 20 of complaint]

The complainant is seeking refund of the deposited amount alongwith prescribed rate of interest as the respondent company has failed to obtain the environment clearance till date.

Arguments heard.

In view of the same, the respondent/promoter is directed to refund the amount deposited by the complainant alongwith prescribed rate of interest i.e. 11% per annum as per clause 5(iii)(b) of the Affordable Group Housing Policy 2013, from the date of each payment till its realization.

Matter stands disposed off. Detailed order will follow.

Ashok Sangwan
Member

Vijay Kumar Goyal
Member

Arun Kumar
Chairman
13.08.2024