

PROCEEDINGS OF THE DAY		12
Day and Date	Thursday and 10.10.2024	
Complaint No.	CR/1150/2022 Case titled as Purva Kapoor VS Splendor Landbase Limited	
Complainant	Purva Kapoor	
Represented through	Shri Garvit Gupta Advocate	
Respondent	Splendor Landbase Limited	
Respondent Represented through	Shri Ravi Agarwal Advocate	
Last date of hearing	29.08.2024	
Proceeding Recorded by	Naresh Kumari and HR Mehta	
Proceedings The present complaint has been received on 24.03.2022 and the reply was received on 28.07.2022 and application for amendment of relief was filed by complainant on 21.09.2023. Succinct facts of the case as per complaint and reply are as under:		
Sr. No.	Particulars	Details
1.	Name of the project	Splendor Epitome, Sector-62, Gurugram
2.	Nature of project	Commercial
3.	Rera registration	22 of 2019 dated 26.03.2019 valid up to 31.12.2023
4.	Unit no.	SE-52-A
5.	Unit admeasuring	600 sq. ft. (carpet area) (as per page no. 19 of reply)
6.	Date of execution of Builder buyer agreement	Not executed
7.	Application for provisional registration of unit	05.10.2011 (page no. 30 of complaint)
8.	Due date of delivery of possession	9.2 That the Company shall, under nor



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हरियाणा भू-संपदा विनियामक प्राधिकरण, गुरुग्राम

CR/1150/2022

New PWD Rest House, Civil Lines, Gurugram, Haryana

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

		<i>circumstances, complete the construction of Said Complex in which the Said Unit is located within a period of 42 (forty two) months with the grace period of 6 (six) months, and subject to force majeure circumstances as defined herein, from the date of execution of this Agreement in accordance with the said approved plans and specifications seen and accepted by the Allottee (with additional floors with space if permissible) with such additions, deletions, alterations, modifications in the layout plans, change in number, dimensions, height, size, area or change of entire scheme, which the Company may consider or may be required by any competent authority to be made in them or any of them. In case, these changes are required after execution of the Sale/Conveyance Deed, then in order to implement those, any Supplementary Deed/Agreement, if necessary, will be executed and registered by the Company. In case the same are warranted prior to the execution of the Sale/Conveyance Deed, Company's intimation to the Allottee shall be enough (Cannot be ascertained as BBA placed but not executed between the parties)</i>	
9.	Basic sale price	Rs. 72,00,000/- (as alleged by respondent page no. 08 of reply)	
10.	Total amount paid by the complainant	Rs. 20,17,138/- (as alleged by respondent page 20 of reply, as per the demand letter dated 20.05.2019 page 56 reply and relief of refund sought by the complainant of Rs. 20,17,138/-)	
11.	Amount paid back by the respondent to the complainant	Rs. 6,31,194/- (as per page 63 of reply, On 28.12.2019 as confirmed from the counsel of complainant during proceedings)	
12.	Legal notice by complainant for refund	09.11.2019 (page 38 of complaint)	
13.	Refund Cheque issued by the respondent	02.08.2019 (Vide cheque Rs. 6,31,194/- page 63 of reply)	
14.	Demand/Reminder letters	10.12.2013, 18.01.2014, 25.04.2014, 20.05.2019 and 11.07.2019 (page 55-60 of reply)	
15.	Final reminder letter	15.07.2019 (page 61 of reply)	



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16. Cancellation notice

02.08.2019

(page no. 62 of reply)

The complainant is seeking the following reliefs:

1. Direct the respondent to pay refund of the total paid up amount of Rs. 20,17,138/-.
2. Pass an order for setting aside cancellation letter dated 02.08.2019.

The counsel for the respondent has already filed written submissions and the counsel for the complainant to file the same in next 2 weeks.

The counsel for the respondent clarifies that the authority had already passed order in the similar situated case bearing CR No.2350/2021 and cancellation was made due to non payment despite repeated reminders. BBA was not executed by the complainant. The BBA and reminder letters were sent at the old address and not at the new address duly intimated to the respondent.

Arguments heard.

Order reserved.

Matter to come up on 12.12.2024 for pronouncement of order.

V-1 - 3

Vijay Kumar Goyal

Member

10.10.2024