

PROCEEDINGS OF THE DAY		29 & 30
Day and Date	Wednesday and 09.04.2025	
Complaint No.	CR/1181/2024 Clubbed with 3506/2024 Case titled as Nimai Developers Private Limited VS Suraj Bhan	
Complainant	Nimai Developers Private Limited	
Represented through	Shri Sushil Yadav Advocate	
Respondent	Suraj Bhan	
Respondent Represented	Shri Garvit Gupta Advocate	
Last date of hearing	22.01.2025	
Proceeding Recorded by	Naresh Kumari and HR Mehta	

Proceedings

The present complaint was filed on 22.03.2024 and reply on behalf of the respondent was received on 05.06.2024.

Both the complaints i.e. present complaint No.1181/2024 and CR No. 3506/2024 are clubbed and heard together.

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

S.N.	Particulars	Details
1.	Name and location of the project	"Nimai Place" at Sector 114, Gurgaon
2.	Nature of the project	Commercial
3.	Project area	3.0125 acres
4.	DTCP license no.	126 of 2012 dated 20.12.2012 valid upto 19.12.2028
5.	RERA Registered/ not registered	Registered vide no. 7 of 2018 issued on 13.07.2018 up to 31.03.2023
6.	Allotment letter	02.07.2013 (page 10 of complaint)
7.	Unit allotted	028, Ground Floor (page 10 of complaint)

8.	Unit admeasuring area	574 sq.ft. (carpet area) (page 10 of complaint)
9.	Date of builder buyer agreement	Not executed
10.	Due date of possession	02.07.2016 (calculated from the date of allotment) [Calculated as per Fortune Infrastructure and Ors. vs. Trevor D'Lima and Ors. (12.03.2018 - SC); MANU/SC/0253/2018]
11.	Reminders	04.05.2022, 03.08.2022, 20.07.2022, 16.01.2024 (page 49-55 of complaint)
12.	Forfeiture letter giving opportunity to clear dues by 31.01.2024	16.01.2024 (page 16 of complaint)
13.	Surrender request made by respondent/allottee	10.04.2016 (page 32 of complaint)
14.	Total sale consideration	Rs.70,96,008/- (page 10 of complaint)
15.	Total amount paid by the respondent/allottee	Rs.13,31,755/- (as per page 56 of complaint)
16.	Occupation certificate	10.02.2023 (as per DTCP website)
17.	Offer of possession	Not on record

Arguments heard.

Both the parties may file brief written submissions within a period of 15 days with an advance copy to each other.

Order reserved.

Matter to come up on **21..05.2025** for pronouncement of order.

Ashok Sangwan
 Member
 09.04.2025