

PROCEEDINGS OF THE DAY		54
Day and Date	Thursday and 08.08.2024	
Complaint No.	CR/1185/2024 Case titled as Akanksha Sarawat VS Manglam Multiplex Private Limited & M3M India Pvt Ltd. & Roop Bansal & Basant Bansal & M3M India Holdings Pvt Ltd.	
Complainant	Akanksha Sarawat	
Represented through	Shri Bhupender Pratap Singh Advocate	
Respondent	Manglam Multiplex Private Limited & M3M India Pvt Ltd. & Roop Bansal & Basant Bansal & M3M India Holdings Pvt Ltd.	
Respondent Represented through	Ms. Shriya Takkar and Ms. Simriti Srivastava Advocates	
Last date of hearing	12.07.2024	
Proceeding Recorded by	Naresh Kumari and HR Mehta	
Proceedings		
The present complaint has been received on 01.04.2024 and reply on behalf of respondent was not received till date.		
The counsel for the complainant has moved an application under section 36 of the Act to issue directions to the respondent not to create third party rights till final decision of the matter and to hand over the physical possession of the unit.		
On 11.07.2024, the counsel for the respondent has moved an application requesting the deletion of names of respondent no. 2 to 5 from the array of respondent being neither a proper nor a necessary parties for the purpose of the present complaint.		



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. हा. बिनाम गृह, मिडिल लाईन, गुरुग्राम, हरियाणा

On last date of hearing, the counsel for the complainants submitted that they have paid an amount of Rs.94,51,274/- against total sale consideration of Rs.1,70,02,500/-.

The counsel for the respondent stated that the unit has already been sold to third party after cancellation of the unit on 01.08.2023 and the conveyance deed in the favour of third party has also been executed and further stated that the amount paid by the complainant has also been refunded on 21.03.2024 after deduction permissible as per RERA norms which the complainant got encashed on date of filing of complaint i.e., 01.04.2024. The counsel for the respondent has placed on record a copy of conveyance deed on 01.08.2024 in compliance of the order of the Authority dated 12.07.2024. The counsel for the complainant further stated that the complainant wishes to implead third-party in whose favour third party rights have been created. But till date no application for impleadment has been placed on record.

The counsel for the complainant wishes to file an application for amendment of the relief in view of the cancellation of the unit and creation of third party rights on the unit. A copy of the application is supplied to the counsel for the respondent during proceedings and shall be filing the same in the registry of the authority within one week. The counsel for the respondent wants to file reply to the aforesaid application which may be filed within next three weeks.

The counsel for the complainant shall also file an affidavit of the complainant allottee for the amended relief being sought in the application.

Matter to come up on 07.11.2024 for further proceedings.

V. J. - 3
Vijay Kumar Goyal
Member
08.08.2024