

PROCEEDINGS OF THE DAY
20

Day and Date	Tuesday and 11.03.2025
Complaint No.	CR/1206/2021 Case titled as NILIMA JOSHI VS SUPERTECH LIMITED
Complainant	NILIMA JOSHI
Represented through	Shri Saumyen Das Advocate
Respondent	SUPERTECH LIMITED
Respondent Represented through	Shri Bhriugu Dhami Adv. for M/s Supertech Limited R1 Shri Rohit Arora Adv. for R2
Last date of hearing	10.12.2024
Proceeding Recorded by	Naresh Kumari and HR Mehta

Proceedings

The present complaint has been received on 04.03.2021. Reply has not been filed by the respondents till date.

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

S.No.	Particulars	Details
1.	Name of the project	Supertech Hues, Sector-68, Gurugram-122101
2.	Project area	55.5294 acres
3.	Nature of project	Group Housing Colony
4.	RERA registered/not registered	Registered vide registration no. 182 of 2017 dated 04.09.2017
	Validity Status	31.12.2021
5.	DTPC License no.	106 & 107 of 2013 dated 26.10.2013
	Validity status	25.12.2017
	Name of licensee	Sarv Realtors Pvt. Ltd & Ors.
6.	Unit no.	1803, G tower
7.	Unit tentatively measuring	1180 sq. ft. super area
8.	Date of Booking	13.10.2013
9.	Date of execution of Builder developer agreement.	30.07.2014
10.	Possession clause as	The possession of the allotted unit



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. डी. विश्राम गृह, सिविल लाईंस, गुरुग्राम, हरियाणा

	per buyer developer agreement	shall be given to the allottee/s by the company by April 2017. However, this period can be extended for a further grace period of 6 months
11.	Due date of possession	April 2017 + 6 months = Oct 2018
12.	Basic sale consideration	Rs.90,16,000/-
13.	Total amount paid by the complainant	Rs. 55,56,447/-
14.	Occupation certificate	Not obtained
15.	Offer of possession	Not offered

The counsel for the complainant clarifies that the refund is being sought from M/s Sarv Realtors Pvt. Ltd. to whom the project has been handed over and impleadment has already been allowed by the Authority. The project is not completed till date despite the due date having lapsed in the year January, 2019 and hence allottee cannot be expected to wait endlessly for offering /handing over of the possession and hence is seeking refund in terms of Section 18 of the Act, 2016.

The counsel for R1 states that company is under moratorium in terms of the order of NCLT dated 25.03.2022.

Arguments heard.

Order reserved.

The counsel for the respondent may file written submissions within a period of 15 days with an advance copy to the counsel for the complainant.

Detailed order will follow. Matter stands disposed off.

Ashok Sangwan
Member

Arun Kumar
Chairman
11.03.2025

Vijay Kumar Goyal
Member