

PROCEEDINGS OF THE DAY		106
Day and Date	Friday and 31.05.2024	
Complaint No.	CR/1229/2023 Case titled as Rajiv Mehrotra VS NEO Developers Private Limited	
Complainant	Rajiv Mehrotra	
Represented through	Shri Sourav Jain Advocate	
Respondent	NEO Developers Private Limited	
Respondent Represented	Shri Vikas Advocate	
Last date of hearing	15.03.2024	
Proceeding Recorded by	Naresh Kumari and HR Mehta	
Proceedings		
The present complaint was filed on 22.03.2023 and reply was received on 15.12.2023.		
S. N.	Particulars	Details
1.	Name of the project	“Neo Square”, Sector 109, Gurugram
2	Project area	2.71 acres
3	Nature of the project	Commercial complex
4	DTCP license no. and validity status	102 of 2008 dated 15.05.2008 valid up to 14.05.2024
5	RERA Registered/ not registered	109 of 2017 dated 24.08.2017 valid up to 23.08.2021 plus 6 months of extension due to COVID-19 i.e. 22.02.2024 Registration expired

	Date of allotment	02.07.2012 (Page 18 of complaint)
6	Unit no.	Original unit - 59 (page 18 of complaint) Changed unit - 57 (page 22 of complaint)
7	Unit area admeasuring	Original unit - 578 sq. ft. (page 18 of complaint) Changed unit - 551 sq. ft. (page 22 of complaint)
8	Date of execution of agreement	27.10.2012 (Page 20 of complaint)
9.	Possession clause as per agreement	5.2 the company shall complete the construction of the said building within which the said space is located within 36 months from the date of execution of this agreement or from the start of construction whichever is later and apply for grant of completion/occupancy certificate.
10	Date of start of construction	15.12.2015 (Page 52 of complaint)
11.	Due date of possession	15.06.2019 (calculated from the date of start of construction being later along with 6 months of grace period)
12.	Basic price	Rs 49,59,000/-

		(As per page no. 24 of complaint)
13.	Amount paid by the complainant	Rs. 19,22,056/- (As per page no. 5 of complaint)
14.	Affidavit and indemnity bond	10.08.2018 (page 69 of reply)
15.	Occupation certificate /Completion certificate	N/A
16.	Offer of possession	N/A

The counsel for the complainant states that the respondent had refunded part of the amount and issued cheques of balance amount to be refunded out of which one cheque of Rs.3,23,154/- got bounced and after filing of the case u/s 138 of the Negotiable Instrument Act by the complainant, the respondent cleared that amount. Further stated that one cheque of Rs.3 Lakhs was also issued by the respondent to the complainant and further requested to hold it for sometime and the same has not been cleared till date.

Arguments heard.

Order reserved.

Both the counsels for the parties are directed to file written submissions within 15 days with an advance copy to each other.

Matter to come up on **12.07.2024** for pronouncement of order.


Sanjeev Kumar Arora
 Member
 31.05.2024