

PROCEEDINGS OF THE DAY		12
Day and Date	Wednesday and 06.12.2023	
Complaint No.	CR/1325/2021 Case titled as DEEPAK BHATIA VS RELIABLE REALTECH PVT LTD	
Complainant	DEEPAK BHATIA	
Represented through	Shri K.K.Kohli, Advocate	
Respondent	RELIABLE REALTECH PVT LTD	
Respondent Represented	Shri Shankar Wig, Advocate	
Last date of hearing	22.08.2023	
Proceeding Recorded by	Naresh Kumari	

Proceedings

The present complaint has been received on 19.03.2021 and the reply on behalf of respondent was received on 27.08.2021.

On the last date of hearing i.e., 11.04.2023, the counsel for the respondent/promoter submitted that the respondent has applied occupation certificate on 18.10.2016, along with prescribed documents, but the department has not processed the application of occupation certificate. As such as per code 4.10(5) of the Haryana Building Code, 2017 deemed occupation certificate has been treated by them in this case, which is reproduce below: -

"If no communication is received from the Competent Authority within 60 days of submitting the application for "Occupation Certificate", the owner is permitted to occupy building, considering deemed issuance of "Occupation certificate" and the application Form BR-VIII shall act as "Occupation Certificate". However, the competent authority may check the violations made by the owner and take suitable action".

However, the matter remained pending before the department and vide their letter dated 21.09.2020, they have issued a belated 'occupation certificate' vide memo No. **ZP-451- Vol.-11/AD(RA)/2020/1672 dated 21.09.2020.**



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

Regarding the claim of the respondent in connection with date of deemed occupation certificate, the respondent has filed a CWP no. 16873-2020 and the same is pending before the Hon'ble Punjab and High Court for **11.12.2023**.

So, in view of the matter being sub-judice with regard to date of occupation certificate, matter to come up on 16.01.2024 before **full bench** for further proceedings.

Ashok Sangwan
Member
06.12.2023