



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

PROCEEDINGS OF THE DAY		35
Day and Date	Tuesday and 11.04.2023	
Complaint No.	CR/1325/2021 Case titled as DEEPAK BHATIA Vs RELIABLE REALTECH PVT LTD	
Complainant	DEEPAK BHATIA	
Represented through	Complainant in person with Shri K.K. Kohli Advocate	
Respondent	1. Reliable Realtech Pvt. Ltd. 2. Decent Realtech Pvt. Ltd	
Respondent Represented	Shri Shanker Wig Advocate	
Last date of hearing	23.11.2022	
Proceeding Recorded by	Naresh Kumari and HR Mehta	
Proceedings The present complaint has been received on 19.03.2021 and the reply on behalf of respondent was received on 27.08.2021. The counsel for the respondent states that on the last date of hearing he could not appear due to an accident in which he was injured and the cost imposed by the authority may be waived off. The counsel for the complainant has no objection to it. Cost is waived off. The counsel for the complainant states that the due date for handing over of possession for the unit was 30.05.2015 while the complaint was filed by the complainant for refund of the amount deposited on 19.03.2021. Prior to that refund application was also made on 03.01.2020 (at page No.73 of the complaint). The offer of possession allegedly issued on 30.11.2020 was sent on wrong address by the respondent and was finally re-issued to the complainant on 30.07.2021. Therefore, full refund of the amount deposited alongwith prescribed rate of interest may be allowed in terms of judgment of Hon'ble Supreme Court in case of Newtech Promoters and Developers Pvt. Ltd. versus State of U.P.		

An Authority constituted under section 20 the Real Estate (Regulation and Development) Act, 2016

भू-संपदा (विनियमन और विकास) अधिनियम, 2016 की धारा 20 के अंतर्गत गठित प्राधिकरण



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CR/1325/2021

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The counsel for the respondent states that the respondent was entitled to deemed occupation certificate for the project as on 19.12.2016 as per Section 4.10(5) of the Haryana Building Code, 2016. This matter has been confirmed by the department of Town and Country Planning vide their RTI reply dated 21.10.2020. He further refers email dated 21.09.2020 which was addressed to the allottee informing them of the occupation certificate. The matter is presently under adjudication before the Hon'ble High Court of Punjab and Haryana and the next date of hearing for the same is 25.05.2023.

Matter to come up on **22.08.2023** for further proceedings.


Sanjeev Kumar Arora
Member


Ashok Sangwan
Member
11.04.2023