

PROCEEDINGS OF THE DAY		23
Day and Date	Wednesday and 23.11.2022	
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	1. Reliable Realtech Pvt. Ltd. 2. Decent Realtech Pvt. Ltd	
Respondent Represented	None	
Last date of hearing	21.09.2022	
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. Succinct facts of the case as per complaint and annexures are as under:		
S.N.	Particulars	Details
1.	Project name and location	“Antriksh Heights”, Sector 84, Gurugram
2.	Project area	23.10 acres
3.	Nature of project	Residential group housing colony
4.	RERA registered/not registered	Not registered
5.	DTPC License no.	123 of 2008 dated 14.06.2008
	Validity status	13.06.2018



HARERA
GURUGRAM

HARYANA REAL ESTATE REGULATORY AUTHORITY
GURUGRAM

हरियाणा भू-संपदा विनियामक प्राधिकरण, गुरुग्राम

CA/324/2021

New PWD Rest House, Civil Lines, Gurugram, Haryana

नया पी.डब्ल्यू.डी. विश्राम गृह, सिविल लाईंस, गुरुग्राम, हरियाणा

	Name of licensee	Reliable Realtech Pvt. Ltd.
6.	Occupation Certificate details	OC received dated 19.05.2016 for tower/block- ➤ AF (ground floor to 17th floor) ➤ AG (ground floor to 9th floor) ➤ AH (ground floor to 7th floor) ➤ AI (ground floor to 9th floor) ➤ AJ (ground floor to 9th floor) ➤ AL (ground floor to 18th floor) ➤ EWS (ground floor to 10th floor) OC received dated 14.10.2016 for tower/block- ➤ AE (ground + 1ST floor to 19th floor) ➤ AG (10th floor to 19th floor) ➤ AH (8TH floor to 19th floor) ➤ AI (10th floor to 19th floor) ➤ AJ (10th floor to 19th floor) OC received dated 07.02.2020 for tower/block- Primary School (Ground floor to 3rd floor)
7.	Respondent claiming deemed occupation certificate in respect of following towers	➤ Tower AA – 80 Units, ➤ Tower AB – 80 Units, ➤ Tower AC – 74 Units, ➤ Tower AD – 80 Units, ➤ Tower AE - 40 Units Balance, ➤ Tower AK - 71 Units ➤ Tower AM – 160 Units ➤ EWS – 107 Units Convenient shopping, Community center, balance Part of the basement
8.	Occupation Certificate details	OC received dated 21.09.2020 for tower/block- ➤ AA (ground floor to 19th floor) ➤ AB (ground floor to 19th floor) ➤ AC (ground floor to 18th floor)

CR/32/2021

New PWD Rest House, Civil Lines, Gurugram, Haryana

नया पी.डब्ल्यू.डी. विश्राम गृह, सिविल लाईंस, गुरुग्राम, हरियाणा

		➤ AD (ground floor to 19th floor) ➤ AE (ground floor to 19th floor) ➤ AK (ground floor to 18th floor) ➤ AM (ground floor to 19th floor) ➤ EWS block (ground floor to 10th floor) ➤ 2 no's Convenient Shopping Type-1 (ground only) Community Building (ground floor to 1st floor)	
9.	Unit no.	1805, 18 th floor, Tower/block- AM, Unit measuring 1450 sq. ft. (Page 50 of the complaint)	
10.	Date of execution of agreement	30.05.2012 (Page 47 of the complaint)	
11.	Date of allotment letter	01.05.2012 (Page 45 of the complaint)	
11.	Possession clause	12. <u>POSSESSION, RIGHTS AND INTERESTS</u> <i>The owner shall construct the apartment as early as possible and within 3 years, from the start of construction work unless due to unavoidable circumstances, it is not possible to do so, however, time is not the essence of this Agreement to sell in this regard. If the construction is completed earlier, the possession thereof can be delivered even earlier. The objections of the Allot(s) in this regard are not tenable/entertain able.</i> (Page 55 of the complaint).	
12.	Due date of possession	30.05.2015	



HARERA
GURUGRAM

HARYANA REAL ESTATE REGULATORY AUTHORITY
GURUGRAM

हरियाणा भू-संपदा विनियामक प्राधिकरण, गुरुग्राम

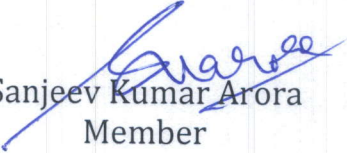
New PWD Rest House, Civil Lines, Gurugram, Haryana

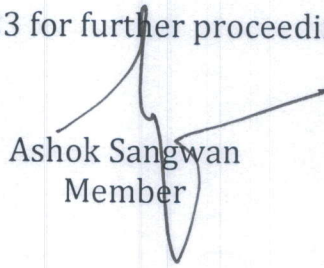
नया पी.डब्ल्यू.डी. विश्राम गृह, सिविल लाईंस, गुरुग्राम, हरियाणा

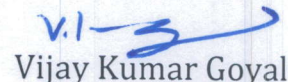
		Note: Date of commencement of construction is not given by either of the parties. Thus, the due date of handing over the possession is calculated from the date of execution of the said agreement i.e., 30.05.2012
13.	Total sale consideration	Rs.61,96,000/- (As per estimated cost of page 46 of the complaint)
15.	Total amount paid by the complainant	Rs.59,22,936/- (As per averment of complainant page 21 of the complaint)
16.	Re-issue of final demand cum offer of possession	30.11.2020 (Page 8 of the reply)

None is present on behalf of the respondent. One final opportunity is being given to the respondent for arguing the case on the next date with cost of Rs.10,000/- to be paid to the complainant. In case the respondent fails to appear on the next date of hearing, the case shall be decided on merits after hearing the complainant and the reply submitted by the respondent which is on the record.

Matter to come up on 11.04.2023 for further proceedings.


Sanjeev Kumar Arora
Member


Ashok Sangwan
Member


Vijay Kumar Goyal
Member
23.11.2022