

PROCEEDINGS OF THE DAY		28
Day and Date	Thursday and 24.07.2025	
Complaint No.	CR/1431/2024 Case titled as Apurv Sud VS EMAAR MGF LAND Limited	
Complainant	Apuv Sud	
Represented through	Shri Abhinav Arora Advocate	
Respondent	EMAAR MGF LAND Limited	
Respondent Represented	Shri Dhruv Rohatgi Advocate	
Last date of hearing	08.05.2025	
Proceeding Recorded by	Naresh Kumari and HR Mehta	

Proceedings

The present complaint has been received on 26.04.2024 and registered as complaint no. 1431 of 2024 and reply was received on 13.08.2024.

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

S. No.	Particulars	Details
1.	Name and location of the project	"Colonnade", Sector 66, Gurugram
2.	Nature of the project	Commercial colony
3.	Project area	2.25 acres
4.	DTCP license no.	163 of 2008 dated 19.08.2008 valid up to 18.08.2020
5.	Name of licensee	Logical Developers Pvt. Ltd
6.	RERA Registered/ not registered	156 of 2017 dated 28.08.2017 valid up to 31.01.2028
7.	Unit no.	CHC R-02-007, 2 nd Floor (As per letter of offer of possession dated 14.07.2023 on page no. 54 of the complaint)



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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: As per letter of offer of possession unit no. has been revised to CHC R-02-007, 2 nd Floor from CHC R-FF-007, First Floor)
8.	Unit area admeasuring	365.14 sq. ft. (Super area) (As per letter of offer of possession dated 14.07.2023 on page no. 54 of the complaint) (Note: As per letter of offer of possession area of the unit has been revised to 365.14 sq. ft. from the earlier area of 390 sq. ft.)
9.	Allotment letter	22.04.2015 (As per page no. 22 of the complaint)
10.	Date of buyer's agreement	12.10.2016 (As per page no. 28 of the complaint)
11.	Possession clause	16. POSSESSION (a) Time of Handing over the possession: (i) The Company shall endeavor to offer possession of the unit to the allottee within 42 months from August, 2016 from the date of start of construction, whichever is earlier, subject, however, to force majeure conditions as stated in clause 34 of this agreement and further subject to the allottee having strictly complied with all the terms and conditions of this agreement and not being in default under any provisions of this agreement and all amounts due and payable by the allottee under this agreement having been paid in time to the company. The



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CA/143/2024

New PWD Rest House, Civil Lines, Gurugram, Haryana

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		<i>company shall give notice to the allottee, offering in writing, to the allottee to take possession of the unit for his occupation and use ("Notice/Intimation of Possession") (As per page no. 42 of the complaint)</i>
12.	Date of start of construction	29.05.2017 (As per page no. 50 of the complaint)
13.	Due date of possession	February, 2020 (Note: Due date to be calculated 42 months from August, 2016 being earlier)
14.	Total sale consideration	Rs.30,67,934/- (As per SOA dated 31.07.2024 on page no. 105 of the reply)
15.	Amount paid by the complainant	Rs.18,04,917/- (As per SOA dated 31.07.2024 on page no. 105 of the reply)
16.	Payment request letter	08.05.2017, 28.06.2017, 20.07.2017 & 10.04.2019 (As per page no. 101-104 of the reply)
17.	Reminder letter	03.05.2019 & 24.08.2023 (As per page no. 99-100 of the reply)
18.	Occupation Certificate	31.03.2022 (As per page no. 116 of the reply)
19.	Offer of possession	14.07.2023 (As per page no. 54 of the complaint)
20.	Final notice letter	09.10.2023 (As per page no. 97 of the reply)
21.	Cancellation notice	17.01.2024 (As per page no. 138 of the reply)

The counsel for the respondent states on instructions of the AR that respondent company is willing to reinstate the unit and hand over possession after payment of outstanding amount. Further, the DPC at the prescribed rate for the delay period shall be adjusted and rate of interest to be charged at equitable rate. Further, requests to consider the orders passed by full bench



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24/07/2025

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of this Authority on similar issues in complaint no. 5197/2022 and 5198/2022.

The counsel for the complainant is also willing to take the possession and make payment of outstanding amount after adjustment of delayed possession charges and further requests not to charge maintenance charges till handing over of possession. The respondent to issue a revised SOA within next 10 days and the complainant may file objections to the same, if any, within next 10 days.

Arguments heard.

Order reserved.

Matter to come up on 21.08.2025 for pronouncement of order.


Vijay Kumar Goyal
Member
24.07.2025