



HARERA
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HARYANA REAL ESTATE REGULATORY AUTHORITY
GURUGRAM

हरियाणा भू-संपदा विनियामक प्राधिकरण, गुरुग्राम

New PWD Rest House, Civil Lines, Gurugram, Haryana

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

PROCEEDINGS OF THE DAY		44
Day and Date	Tuesday and 05.09.2023	
Complaint No.	CR/1516/2023 Case titled as Charat Singh Yadav Vs Ramaprastha Promoters And Developers Private Limited	
Complainant	Charat Singh Yadav	
Represented through	Shri Sushil Yadav, Advocate	
Respondent	Ramaprastha Promoters And Developers Private Limited	
Respondent Represented through	Ms R Gayatri Mansa, Advocate	
Last date of hearing	First hearing	
Proceeding Recorded by	Naresh Kumari and HR Mehta	

Proceedings

The present complaint was filed on 12.04.2023 and the reply on behalf of respondent was received on 22.08.2023.

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

S. N.	Particulars	Details
1.	Name of the project	"Ramprastha City", Sectors 37C and 37D, Gurugram, Haryana
2.	Project area	105.402 acres
3.	Nature of the project	Residential Colony
4.	DTCP license no. and validity status	128 of 2012 dated 28.12.2012 Valid up to 06.04.2025
5.	Name of licensee	KNS Nirman



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CR/15/16/2023

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6.	RERA Registered/ registered	not	Not registered
7.	Allotment letter dated		09.09.2014 [Page 31 of complaint]
8.	Plot no.		B-63, block B (Page no. 31 of the complaint)
9.	Unit area admeasuring		250 sq. Yds. (Page no. 31 of the complaint)
10.	Date of execution of plot buyer's agreement		20.01.2015 [Page 13 of complaint]
11.	Possession clause		11. SCHEDULE FOR POSSESSION The Company shall endeavor to offer possession of the Said Plot, within thirty (30) months with another grace period of six (6) months from the date of execution of this agreement subject to timely payment by the Intending Allottee(s) of Total Price, stamp duty, registration charges and any other charges due and payable according to the Payment Plan. [Page no. 18 of complainant]
12.	Due date of possession		20.07.2017 Note: Grace period is not included
13.	Basic price of the plot		Rs.20,00,000/- [Page 27 of complaint]
14.	Total sale price of the plot		Rs.42,75,000/-



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CR 1516/2023

New PWD Rest House, Civil Lines, Gurugram, Haryana

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		[Page 27 of complaint]
15.	Amount paid by the complainant	Rs.37,00,000/- [As per submitted by complainant page no. 8 of the complaint and the same was admittedly by the respondent in its reply at page 9 of reply]
16.	Occupation certificate /Completion certificate	Not received
17.	Offer of possession	Not offered

The complainant is seeking delayed possession charges at the prescribed rate of interest. The due date for handing over of possession was 20.7.2017 and admittedly the OC for the project is yet to be received. The counsel for the respondent states that the project could not be completed due to conditions beyond the control of the respondent which have been detailed in the reply submitted by the respondent.

Arguments heard.

In view of the facts above, matter is covered under section 18 of the Act, 2016 and delayed possession charges are allowed from the due date of possession till the date of handing over of possession or offer of possession plus two months after receipt of occupation certificate whichever is earlier.

Matter stands disposed off. Detailed orders will follow. File be consigned to the registry.

Ashok Sangwan
Member
05.09.2023