



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

New PWD Rest House, Civil Lines, Gurugram, Haryana

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PROCEEDINGS OF THE DAY		122
Day and Date	Friday and 02.08.2024	
Complaint No.	CR/1542/2023 Case titled as Bharat Bajaj and Usha Bajaj VS Vatika Limited	
Complainant	Bharat Bajaj and Usha Bajaj	
Represented through	Shri Abhijit Gupta, Advocate	
Respondent	Vatika Limited	
Respondent Represented through	Ms Ankur Berri, Advocate	
Last date of hearing	24.05.2024	
Proceeding Recorded by	Naresh Kumari and HR Mehta	
Proceedings The present complaint was filed on 03.04.2023 and the reply on behalf of respondent no. 1 was filed on 08.09.2023. The counsel for complainant has filed an application for amendment in relief sought on 07.03.2024.		
S. No.	Heads	Information
1.	Name and location of the project	"Vatika Inxt City Center" at Sector 83, Gurugram, Haryana
2.	Nature of the project	Commercial complex
3.	Area of the project	10.72 acres
4.	DTCP License	122 of 2008 dated 14.06.2008
	valid upto	13.06.2018
	Licensee name	M/s Trishul Industries
5.	RERA registered/ not registered	Not registered
6.	Date of execution of builder buyer's agreement	27.12.2010 (page no. 18 of complaint)



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15/12/2023

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7.	Unit no.	219, 2 nd Floor (page no. 21 of complaint)
8.	Unit shifted to	115, 1 st floor, Block B (as per reallocation letter on page no. 39 of complaint)
9.	Unit area	750 sq. ft. (page no. 21 of complaint)
10.	Addendum agreement	27.12.2010 (page no. 35 of complaint)
11.	Addendum to BBA [Reallocation of project from trade center to INXT]	27.07.2011 (page no. 36 of complaint)
12.	Total consideration	Rs. 37,50,000/- (page no. 21 of complaint)
13.	Total amount paid by the complainants	Rs. 37,50,000/- (page no. 21 of complaint)
14.	Reallocation of unit	25.04.2013 (page no. 39 of complaint)
15.	Possession clause	The developer shall complete the construction of the said complex within 3 years from the date of execution of this agreement. Further the allottee has paid full sale consideration on signing of this agreement, the developer further undertakes to make payment as per annexure A per sq. ft. of super area per month by way of committed return for the period of construction, which the allottee duly accepts. In the event of a time overrun in completion of the said complex the developer shall continue to pay to the allottee the within mentioned assured return until the unit is offered by the developer for possession.
16.	Due date of delivery of possession	27.12.2013 (calculated from the date of



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		agreement)
17.	Assured return clause	This addendum forms an integral part of builder buyer agreement dated 27.12.2010 a. Till completion of building @ Rs. 71.50/- per sq. ft. b. After completion of the building @ Rs. 65/- per sq. ft. You would be paid an assured return w.e.f. 27.12.2010 on a monthly basis before the 15 th of each calendar month.
18.	Date of offer of possession to the complainants	Not offered
19.	Occupation certificate	Not obtained
20.	Completion certificate issued by respondent	29.03.2016 (page no. 59 of complaint)
21.	Assured return amount paid by the respondent till 30.09.2018	Rs.43,58,250/- (annexure R2, page 34B of reply)

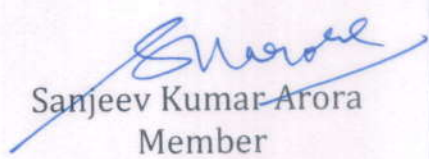
The counsel for the complainant is seeking only and only assured return and CD and no other relief is being sought.

The counsel for the respondent states that she is placing on record order copy of the order of Hon'ble UP Appellate Tribunal, copy of the order of NCLT which is dated 07.06.2024 and copy of the order of the authority itself.

Arguments heard

Order reserved

Matter to come up on 9.8.2024 for pronouncement of orders.


Sanjeev Kumar Arora
Member
02.08.2024