



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. विधाम गृह, सिविल लाईंस, गुरुग्राम, हरियाणा

PROCEEDINGS OF THE DAY

34

Day and Date	Wednesday and 23.04.2025
Complaint No.	CR/1568/2024 Case titled as Vijender Kumar and Sunita VS Godrej Real View Developers Private Limited
Complainant	Vijender Kumar and Sunita
Represented through	Shri Vishal Bansal Advocate
Respondent	Godrej Real View Developers Private Limited
Respondent Represented	Shri Saurabh Gaba Advocate
Last date of hearing	26.02.2025
Proceeding Recorded by	Naresh Kumari and HR Mehta

Proceedings

The present complaint has been filed on **30.04.2024** and registered as complaint no. **1568** of **2024**. Reply on behalf of the respondent has been received on **04.03.2025**.

Succinct facts of the complaint are as follows:

Sr. No.	Particulars	Details
1.	Name of the project	"Godrej Prive"
2.	Location of the project	Sector-106, Gurugram.
3.	Project area	14.793 acres
4.	Nature of project	Group Housing Project
5.	RERA registered	Registered Vide registration no. 09 of 2020 Dated-10.02.2020



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CR/1568/24

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6.	DTCP License	License no. 18 of 2008 Dated-02.02.2008.
7.	Allotment letter	01.08.2020 (As on page no. 70 of complaint)
8.	Unit no.	T7-0604, Floor-6 th , Type-3BHK, Type-A, Tower No.-7 (As on page no. 30 of complaint)
9.	Unit area	102.97 sq.mtr [Carpet Area] 24.12 sq.mtr [Balcony Area] (as on page no. 29 of complaint)
10.	Agreement For Sale	03.03.2020 (As on page no. 26 of complaint)
11.	Possession clause	Clause 7 POSSESSION OF THE UNIT 7.1 Schedule for possession of the unit <i>The Promoter agrees and understands that timely delivery of possession of the Unit to the Allottee(s) and the common areas to the association of allottees or the competent authority, as the case may be, as provided under Rule 2(1) (f) of Rules, 2017, is the essence of the Agreement.</i> <i>The Promoter shall offer possession of the Unit along with Common Areas on or before 30.09.2025 ("Completion Time Period") or such extended period as may be granted, unless there is delay due to Force majeure, Court orders, Government policy/guidelines, decisions affecting the regular development of the real estate project. The Force Majeure shall mean and include war, flood, fire, draught, cyclone, earthquake, epidemic, pandemic or any other calamity caused by nature</i>



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CA/1-588/2024

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		<i>affecting regular development of project, civil commotion or act of God or any notice, order, rule, notification of the Government and/or other public competent authority/Court affecting the regular development of said Project, beyond the control of the Promoter.</i> [Emphasis supplied] (As on page no. 36 f complaint)
12.	Due date of possession	30.09.2025
13.	Total sales consideration	Rs.1,77,93,066/- (As on page no. 30 of complaint)
14.	Amount paid by the complainant	Rs.17,79,306/-
15.	Cancellation letter	31.05.2021 (As on page no. 83 of complaint)
16.	Occupation certificate	03.04.2023 (As on page no. 130 of reply) [Note: Whether the O.C is in respect of the subject unit or not- to be clarified]
17.	Offer of possession	Not offered

The complainants are seeking delayed possession charges and execution of conveyance deed in favour of the complainant. Meanwhile the direction be given to the respondent not to create third party rights and maintain status quo in respect of the unit.

The counsel for the respondent states that the complainants have paid only Rs.17,79,306/- against the total sale consideration of Rs.1,77,93,066/- which is 10% of the sale consideration. Due to non payment, the unit of the complainants have already been cancelled on 31.05.2021. Third party rights have already been created on the unit.



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Arguments heard.

Order reserved.

Parties may file brief written submissions within a period of 2 weeks with an advance copy to each other.

Matter to come up on 28.05.2025 for pronouncement of order.

Ashok Sangwan
Member
23.04.2025