

PROCEEDINGS OF THE DAY
14

Day and Date	Monday and 14.07.2025
Complaint No.	CR/158/2024 Case titled as S Sasi Kumar VS Ocean Seven Buildtech Private Limited
Complainant	S Sasi Kumar
Represented through	Shri Bhajan Lal Jangra Advocate
Respondent	Ocean Seven Buildtech Private Limited
Respondent Represented through	Shri Arun Yadav Advocate
Last date of hearing	10.07.2025
Proceeding Recorded by	Naresh Kumari and HR Mehta

Proceedings

The present complaint has been received on 09.02.2024 and registered as complaint bearing no. 158 of 2023 and reply on behalf of respondent received on 11.09.2024.

The succinct facts of the case as per complaint and annexures are as follows:

S. N.	Particulars	Details
1.	Name and location of the project	"Expressway Towers", Sector-109, Gurugram.
2.	Project area	7.50 Acres
3.	Nature of Project	Residential (Affordable Group Housing)
4.	DTCP license no. and validity status	06 of 2016 dated 16.06.2016 Valid upto 15.06.2021
5.	Name of Licensee	M/s Ocean Seven Buildtech Pvt. Ltd.
6.	Rera registered/ not registered and validity status	Registered Vide no. 301 of 2017 dated 13.10.2017 Valid upto 12.10.2021
7.	Unit no.	1301, 13 th floor, Tower-05. (page 30 of complaint)



HARERA
GURUGRAM

HARYANA REAL ESTATE REGULATORY AUTHORITY
GURUGRAM

हरियाणा भू-संपदा विनियामक प्राधिकरण, गुरुग्राम

CR/158/2021

New PWD Rest House, Civil Lines, Gurugram, Haryana

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

8.	Unit Admeasuring	644 sq. ft. carpet area and 100 sq. ft. balcony area (page 30 of complaint)
9.	Date of booking	05.11.2016 (as alleged at page 19 of the complaint)
10.	Approval of Building Plan	26.09.2016 (Taken from similar complaint of similar project bearing no. CR/4086/2020)
11.	Environmental Clearance	30.11.2017 (Taken from similar complaint of similar project bearing no. CR/4086/2020)
12.	Buyer's Agreement	In the year, 2017 (as per BBA at page 28 of complaint)
13.	Possession Clause as per buyer's agreement	5.2 Possession Time <i>The company shall sincerely endeavor to complete the construction and offer the possession of the said unit within five years from the date of receiving of license ("Commitment Period") ...</i> [Emphasis supplied]
14.	Possession Clause (as per affordable housing policy, 2013)	1(IV) of the Affordable Housing Policy, 2013 <i>All such projects shall be required to be necessarily completed within 4 years from the approval of building plans or grant of environmental clearance, whichever is later. This date shall be referred to as the "date of commencement of project" for the purpose of this policy. The licenses shall not be renewed beyond the said 4 years period from the date of commencement of project.</i>
15.	Due date of possession	30.05.2022 30.11.2021 Plus additional grace of 6 months in lieu of Covid-19 as per the HARERA Notification. [Note: The due date is calculated form the date of environmental clearance (31.11.2017), being later.]

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16.	Sale consideration	Rs.26,26,000/- (as mentioned in BBA at page 33 of complaint)
17.	Total amount paid	Rs.27,14,626/- (As per Ledger Account at page no.64 of complaint)
18.	Occupancy Certificate	Not obtained
19.	Offer of possession	Not offered

The complainant is seeking delayed possession charges, handing over of possession, execute the conveyance deed, and to refund the excess amount paid by the complainant over and above the total sale price and other.

The counsel for the respondent states that cancellation was made due to non-payment but no copy of the cancellation letter is available. The counsel further confirm that no publication has been made in respect of above unit and neither any third party rights have been created till date.

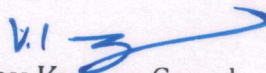
Arguments heard.

Cancellation if any is bad and is hereby set aside.

The respondent is directed to pay delayed possession charges at the prescribed rate of interest @ 11.10% p.a. for every month of delay from the due date of possession i.e., 30.05.2022 till the date of valid offer of possession plus 2 months after receipt of occupation certificate or actual handing over of the unit, whichever is earlier, as per section 18(1) of the Act of 2016 read with under Rule 15 of the Haryana Real Estate (Regulation and Development) Rules, 2017.

Other reliefs shall be part of detailed order.

Matter stands disposed of. Detailed order will follow.


Vijay Kumar Goyal
Member
14.07.2025