



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

PROCEEDINGS OF THE DAY

Day and Date	Tuesday and 29.08.2023
Complaint No.	E/1633/2023/3870/2021 Case titled Neeraj Singh and Aayush Chuhan Vs Vatika Limited
Complainant	Neeraj Singh and Aayush Chuhan
Represented through	Mr Ishwar Singh Sangwan Adv
Respondent	Vatika Limited
Respondent Represented through	Ms Ankur Berry Adv
Last date of hearing	
Proceeding Recorded by	Jyoti Malik

Proceedings

Heard on an objections raised by JD. This is a petition seeking execution of order passed by the Authority dated 11.10.2022. The authority directed respondent to pay arrears of amount of assured return to the complainant from the date of payment of assured return has been paid till the date of completion of construction of the building. According to learned counsel, the building was complete till 27.03.2018 and intimation in this regard was sent to the allottee/DH through letter dated 26.03.2018. The fact that construction of building was complete till aforesaid date is denied by learned counsel for DH.

Admittedly, the JD has not received occupation certificate or completion certificate till now. Even otherwise, there is no other evidence except Letter mentioned above, to verify that construction was complete till that date. No reason to presume that construction has been completed by the JD till that date.

As mentioned above, JD has not received occupation certificate or completion certificate till now. Same is liable to pay the amount of assured

An Authority constituted under section 20 the Real Estate (Regulation and Development) Act, 2016
Act No. 16 of 2016 Passed by the Parliament

भू-संपदा (विनियमन और विकास) अधिनियम, 2016 की धारा 20 के अंतर्गत गठित प्राधिकरण
भारत की संसद द्वारा पारित 2016 का अधिनियम संख्यांक 16

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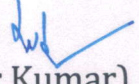
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return till actual completion of the construction/OC/CC has been received. Objections raised by JD are thus dismissed.

This is matter for recovery. In view of order passed by the Hon'ble High Court of Punjab & Haryana, Chandigarh, in case tilted as M/s International Land Developers Pvt. Ltd. Vs. Aditi Chauhan and others CWP No. 7738 of 2022, and M/s International Land Developers Pvt. Ltd. Vs. Nitin Mathur and others CWP 7750 of 2022, recovery certificate is required to be issued.

Matter be referred to the Accounts Officer for 26.10.2023 calculation of the amount of assured return. Parties may file their calculation till this date. To appear before this forum on 03.11.2023. Accounts Officer to file his calculation/report till this date.


(Rajender Kumar)
Adjudicating Officer
29.08.2023