

PROCEEDINGS OF THE DAY		36
Day and Date	Wednesday and 22.05.2024	
Complaint No.	CR/1708/2023 Case titled as Prerna Ramawat and Devender Saini and Kanta Saini VS NEO Developers Private Limited	
Complainant	Prerna Ramawat and Devender Saini and Kanta Saini	
Represented through	Shri Rajender Singh Advocate	
Respondent	NEO Developers Private Limited	
Respondent Represented through	Shri Venket Rao Advocate	
Last date of hearing	08.05.2024	
Proceeding Recorded by	Naresh Kumari and HR Mehta	

Proceedings

The present complaint was filed on 27.04.2023 and the reply received on 04.10.2023.

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

S. N.	Particulars	Details
1.	Name and location of the project	"Neo Square", Sector 109, Gurugram
2.	Nature of the project	Commercial
3.	Project area	3.06 acres
4.	DTCP License and validity	102 of 2008 dated 15.05.2008
5.	RERA Registered/ not registered	Registered vide 109 of 2017 dated 24.08.2017 valid upto 23.08.2021
6.	Unit no. (Restaurant)	06, 3 rd floor (As per BBA on page 45 of complaint)
7.	Unit area admeasuring (super area)	250 sq. ft. (As per BBA on page 45 of complaint)

8.	Date of buyer's agreement	07.01.2015 (page 40 of complaint)
9.	Date of MoU	18.12.2014 (page 19 of complaint)
10.	Possession clause	Clause 3 of MoU: "The company shall complete the construction of the said building/complex, within the said space is located within 36 months from date of execution of this agreement or from the start of construction, whichever is later and apply for grant of completion/occupancy certificate.
11.	Due date of possession	18.12.2017 (Calculated as 36 months from date of execution of MoU)
12.	Basic sale consideration	Rs. 12,75,000/- (As per MoU on page 23 of complaint)
13.	Amount paid by the complainant	Rs. 15,10,452/- (As per SOA on page 101 of reply)
14.	Assured return paid	Rs. 6,39,750/- (As per SOA on page 101 of reply)
15.	First lease deed and addendum	24.07.2020 (page 102 of complaint)
16.	Lease assignment request	01.10.2020 (page 119 of reply)
17.	Reminder letter for signing the lease assignment form	10.12.2020 (page 120 of reply)
18.	Occupation Certificate	Not obtained
19.	Offer of possession	Not offered

The counsel for the respondent emphatically states that a notice has been issued by the Hon'ble High Court in CWP No.26740 of 2022 to this Authority wherein the jurisdiction of this authority has been challenged w.r.t the issue of assured return.



HARERA
GURUGRAM

HARYANA REAL ESTATE REGULATORY AUTHORITY
GURUGRAM

हरियाणा भू-संपदा विनियामक प्राधिकरण, गुरुग्राम

CA/108/2023

New PWD Rest House, Civil Lines, Gurugram, Haryana

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

Arguments heard.

Order reserved.

Meanwhile the parties may file brief written submissions within a period of 4 weeks with an advance copy to each other.

Matter to come up on 14.08.2024 for pronouncement of order.

Ashok Sangwan
Member
22.05.2024