



HARERA
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HARYANA REAL ESTATE REGULATORY AUTHORITY
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हरियाणा भू-संपदा विनियामक प्राधिकरण, गुरुग्राम

New PWD Rest House, Civil Lines, Gurugram, Haryana

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

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PROCEEDINGS OF THE DAY

Day and Date	Friday and 09.02.2024
Complaint No.	CR/1794/2022 Case titled as Manoj Kumar Dahiya and Alka Devi VS Vatika Limited
Complainant	Manoj Kumar Dahiya and Alka Devi
Represented through	Shri Yogesh Goel Advocate
Respondent	Vatika Limited
Respondent Represented	Shri Dhruv Dutt Sharma Advocate
Last date of hearing	22.12.2023
Proceeding Recorded by	Naresh Kumari and HR Mehta

Proceedings

The present complaints have been received on 11.05.2022 and the reply on behalf of respondent was received on 08.09.2022.

The counsel for the complainants states that they had booked the unit in Lifestyle Home project, BBA for which was executed on 28.04.2011 and due date for the same was 28.04.2014 and the complainants have paid a sum of Rs.13,15,340/- against total consideration of Rs.43,11,965/- and the unit has been cancelled by the respondent on 31.07.2021 on account of GAIL CORRIDOR AND NON-EXISTENCE OF SECTOR ROADS.

The counsel for the respondent states that the cancellation has not been challenged by the complainants. Further stated that the respondent had given an alternate options to the complainants vide mail dated 05.11.2017, which is at page 132 of the complaint to which the complainants did not respond.

The counsel for the complainants state that the area of the unit allotted originally was increased from 1094.21 to 1305 sq. ft unilaterally whereas the counsel for the respondent states that due consent was given by the complainants vide addendum letter dated 23.08.2017 at page 116 and that change in area and the cancellation has not been challenged in the complaint. Further states that they are seeking possession of the unit and DPC and as



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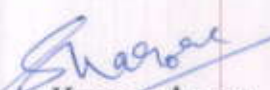
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regards cancellation of the unit, the same has been mentioned in the facts of the case in the main complaint.

The counsel for the respondent states that had the complainants challenged the cancellation they would have file the reply to the same and further stated that even the unit has been cancelled and they are ready to give the refund the complainants wish so. The counsel for the respondent is directed to file an affidavit, that no such unit is available in the same project to be offered as an alternate unit to the complainants allottees as the unit of the allottees got cancelled due to GAIL CORRIDOR, within a period of 3 weeks.

Matter to come up on 17.05.2024 for further proceedings.


Sanjeev Kumar Arora

Member

09.02.2024