



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. विभाग गुरु, सिविल लाइन्स, गुरुग्राम, हरियाणा

PROCEEDINGS OF THE DAY

17

Day and Date	Friday and 06.10.2023
Complaint No.	CR/1873/2022 Case titled as Parveen Kharb Vs Vatika Limited
Complainant	Parveen Kharb
Represented through	Shri Jainder Kharab Advocate
Respondent	Vatika Limited
Respondent Represented	Ms Ankur Beri, Advocate
Last date of hearing	12.05.2023
Proceeding Recorded by	Naresh Kumari

Proceedings

The present complaint was filed on 04.05.2022 and the reply was received on 16.05.2023.

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

S.no.	Particulars	Details
1.	Name of the project	Vatika Inxt City Center at Sector 83, Gurugram, Haryana
2.	Nature of the project	Commercial colony
3.	Project area	6 acres
4.	DTCP license no.	258 of 2007 dated 19.11.2007 license migrated from commercial in residential zone to commercial plotted colony vide order dated 13.10.2022.



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CA/1873/2022

New PWD Rest House, Civil Lines, Gurugram, Haryana

नया पी.डब्ल्यू.टी. विभाग गुरु, सिविल लाइंस, गुरुग्राम, हरियाणा

5.	Name of licensee	M/s Shivam Infratech Pvt. Ltd.
6.	RERA Registered/ not registered	Not Registered
7.	Date of builder buyer agreement	19.01.2012 [pg. 23 of complaint]
8.	Unit no.	206A, 2 nd floor, measuring 500 sq. ft.
9.	Allocation of unit	29.02.2012
10.	Assured return clause	-
11.	Due date of possession	No possession clause in the BBA since there is leasing arrangement between the parties and assured return clause is there
12.	Total sale consideration	₹ 38,22,000/- [pg. 25 of complaint]
13.	Paid up amount as alleged by the complainants	₹ 39,20,416.5/- [pg. 18 of complaint]
14.	Offer of possession	Not offered
15.	Occupation certificate	Not obtained
16.	Assured return paid till 07.09.2018	₹ 25,68,620/- [pg. 35 of reply]

The complainant has sought relief of handing over of possession, delayed possession charges as well as assured return from October, 2018.



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The counsel for the respondent states that similar matter is pending before the Hon'ble High Court of Punjab and Haryana which is fixed for 22.11.2023. since the matter is sub-judice it is being adjourned till the decision of Hon'ble High Court of Punjab and Haryana.

Matter to come up on 24.11.2023 for further proceedings.


Sanjeev Kumar Arora
Member
06.10.2023