

PROCEEDINGS OF THE DAY		22
Day and Date	Thursday and 08.02.2024	
Complaint No.	CR/1890/2022 Case titled as Baldev Kumar Puri and Manisha Puri VS Assotech Moonshine Urban Developers Private Limited	
Complainant	Baldev Kumar Puri and Manisha Puri	
Represented through	Shri Maninder Singh Advocate	
Respondent	Assotech Moonshine Urban Developers Private Limited	
Respondent Represented	Shri Vaibhav Kataria Advocate	
Last date of hearing	11.01.2024	
Proceeding Recorded by	Naresh Kumari and HR Mehta	
Proceedings		
<p>The present complaint has been received on 05.05.2022 and the reply on behalf of respondent was received on 27.04.2023.</p> <p>The complainant submitted that the respondent raised illegal demands of Rs.13,21,480/- vide demand letter and reminder notice dated 18.05.2021, 21.07.2021, 20.11.2021, 18.01.2022 & 23.02.2022 and without giving any progress report. It further sent legal notice dated 01.02.2022. Despite that it issued cancellation dated 07.04.2022.</p> <p>The respondent on the other hand submitted that it issued demand letter and various reminders dated 11.02.2021, 18.05.2021, 21.07.2021, 20.11.2021, 18.01.2022 and 23.02.2022 against completion of internal plaster and flooring; before cancellation letter dated 07.04.2022.</p> <p>The authority observes that the subject unit was booked under construction linked payment plan. The complainant has paid an amount of Rs.88,49,303/- towards basic price of Rs.99,16,038/- constituting 89.25% of sale consideration and they have paid the last payment on 20.02.2021. There is a</p>		



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HARYANA REAL ESTATE REGULATORY AUTHORITY
GURUGRAM

हरियाणा भू-संपदा विनियमक प्राधिकरण, गुरुग्राम

CA/1890/2022

New PWD Rest House, Civil Lines, Gurugram, Haryana नया पी. डब्ल्यू. डी. विश्राम गृह, सिविल लाईंस, गुरुग्राम, हरियाणा

delay of approximately 6 years to deliver the possession. Neither the OC has been obtained by the respondent nor any offer of possession has been made to the complainant in view of the same. Hence the cancellation is bad in the eyes of law and the same is set aside. Further the respondent is directed to not third party rights shall be created as already directed by the authority.

The counsel for the respondent confirms that the OC of the unit is still not obtained and is expected by March 2024.

There is an inordinate delay in completion of the project as till date neither the project is completed nor OC is obtained despite the due date having lapsed way back in the year 2016 and hence, necessary penal proceedings against the respondent be issued after site inspection. Planning Branch to initiate penal proceedings against the respondent after site inspection.

Matter to come up on 02.04.2024 before the full bench for further proceedings.

V.1-3
Vijay Kumar Goyal
Member
08.02.2024