



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

17

Day and Date	Friday and 22.11.2024
Complaint No.	CR/2002/2023 Case titled as Renu Rekhi VS Emaar India Limited
Complainant	Renu Rekhi
Represented through	Shri K.K. Kohli Advocate
Respondent	Emaar India Limited
Respondent Represented	Shri Dhruv Rohatgi Advocate
Last date of hearing	30.08.2024
Proceeding Recorded by	Naresh Kumari and HR Mehta

Proceedings

The present complaint was filed on 17.05.2023 and the reply on behalf of the respondent was filed on 03.10.2023.

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

S. No.	Heads	Information
1	Project name and location	Emaar Digihomes, Sector-62, Gurugram
2	Project area	14.025 acres
3	Nature of the project	Group Housing Colony
4	HRERA registered/ not registered	Registration no. 337/69/2019/31 dated 24.05.2019
	HRERA registration valid up to	31.03.2024
5	Date of execution of BBA	14.11.2019

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CR/2002/2023

New PWD Rest House, Civil Lines, Gurugram, Haryana

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

6.	Unit no.	DGH-A-1503, -
7	Area of the unit	2588 sq. ft.
8	Possession clause	Clause 18 Possession and conveyance deed (I) Within 90 days from the date of issuance of part occupation certificate/occupation certificate by the concerned authorities the company shall offer the possession of the unit to the application on before 31.03.2024 and or such extend period as may be granted by the authority.
9	Due date of possession dated	31.03.2024
10	Total sale consideration	Rs. 2,34,91,372/- [page 33 of reply]
11	Cancellation letter on	20.01.2020 [page 40 of the reply] Note:- application form dated 06.09.2019

The complainant is seeking refund of deposited amount Rs. 5,09,000/- along with interest. The respondent through cancellation notice dated 20.01.2020 cancelled the booked unit citing that the complainant failed to execute the BBA as the respondent never sent the builder buyers agreement to the complainant.

The counsel for the respondent states that the complainant never executes the BBA and the allotment letter. Despite of issuance of notices, reminders letter for execute the BBA and pay outstanding dues of the allotted unit, the complainant has failed to comply the same. The respondent cancelled the unit of the complainant as per the clause 15 of the Application form.



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The counsel for the complainant has filed written submissions which are placed on the file and also supplied a copy of the same to the counsel for the respondent during proceeding.

The counsel for the respondent may file brief written submission within 3 weeks with an advance copy to the counsel for the complaint.

Arguments heard.

Order reserved.

Matter to come up on **28.02.2025** for pronouncement of order.

V.1 - 
Vijay Kumar Goyal
Member
22.11.2024