

PROCEEDINGS OF THE DAY		65
Day and Date	Friday and 22.12.2023	
Complaint No.	CR/2114/2023 Case titled as Tripurari Kumar VS Perfect Buildwell Private Limited	
Complainant	Tripurari Kumar	
Represented through	Shri Saurabh Sachdeva Advocate	
Respondent	Perfect Buildwell Private Limited	
Respondent Represented	Shri Rahul Singh Advocate	
Last date of hearing	20.10.2023	
Proceeding Recorded by	Naresh Kumari	

Proceedings

The present complaint has been received on 31.05.2023 and the reply was received on 20.11.2023.

S.N.	Particulars	Details
1.	Name of the project	Zara Aavaas, Sector 104, Dwarka Expressway, Gurugram.
2.	Nature of project	Affordable Group Housing Colony
3.	Project area	5 acres
4.	DTCP license no.	12 of 2014 dated 10.06.2014 valid up to 09.12.2019
5.	Name of licensee	Perfect Buildwell Pvt. Ltd. & other
6.	RERA Registered/ not registered	Registered Reg. no. 152 of 2017 issued on 28.08.2017 valid up to 31.12.2019
7.	Allotment letter	20.10.2015 (page 27 of complaint)
8.	Apartment no.	04, tower-4, floor 3 rd , admeasuring 301 sq.ft. carpet area and 65 sq. ft. balcony area (page 13 of complaint)

9.	Date of builder buyer agreement	1.12.2015 (page 32 of complaint)
10.	Date of building plan approval	08.12.2014 (taken from another file of the same project)
11.	Date of environmental clearance	09.03.2015 (page no. 14 of reply)
12.	Possession clause	3. Possession <i>3(1) Unless a longer period is permitted by the DGTCP or in the policy and subject to the force majeure circumstances as stated in clause 16 hereof, intervention of statutory authorities, receipt of occupation certificate and timely compliance by the Apartment Buyer(s) of all his/her/their obligations, formalities and documentation as prescribed by the Developer from time to time and not being in default under any part of this Agreement, including but not limited to timely payment of installments of the total cost and other charges as per the payment plan, stamp duty and registration charges, the Developer proposes to offer possession of the Said Apartment to the Apartment Buyer(s) within 4(four) years from the date of approval of building plans or grant of environment clearance, whichever is later.</i> (Emphasis supplied)
13.	Due date of possession	09.03.2019 (calculated from the date of environmental clearance)
14.	Total sale consideration	Rs.12,36,500/- (page 36 of complaint)



HARERA
GURUGRAM

HARYANA REAL ESTATE REGULATORY AUTHORITY
GURUGRAM

हरियाणा भू-संपदा विनियामक प्राधिकरण, गुरुग्राम

New PWD Rest House, Civil Lines, Gurugram, Haryana

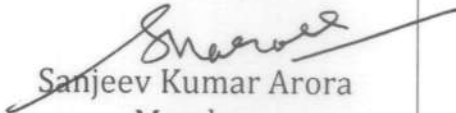
नया पी.डब्ल्यू.डी. विश्राम गृह, सिविल लाईंस, गुरुग्राम, हरियाणा

15.	Paid up amount	Rs. 13,09,512/- [As alleged by complainant]
16.	Occupation certificate	04.12.2019 As per DTCP site)
17.	Offer of possession	21.01.2020 Page no 59 of complaint

The counsel for the complainant is seeking DPC and the possession has already been taken by the complainant. The counsel for the respondent has no objection as there is a clear cut delay of about 10 months in handing over the possession of the unit.

DPC charges are allowed at the prescribed rate of interest i.e. 10.85% per annum from the due date of possession till handing over of possession of the unit or OC plus 2 months whichever is earlier.

Detailed order will follow. Matter stands disposed off. File be consigned to the registry.


Sanjeev Kumar Arora
Member
22.12.2023