



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		49 to 75
Day and Date	Friday and 29.09.2023	
Complaint No.	CR/2064/2023 Case titled as Adar Kumar Jain and Nitin Jain Vs Splendor Buildwell Private Limited	
Complainant	Adar Kumar Jain and Nitin Jain	
Represented through	S/Shri S.K. Goyal and Animesh Goyal Advocates	
Respondent	Splendor Buildwell Private Limited	
Respondent Represented	Ms. Shriya Takkar Advocate	
Last date of hearing	14.07.2023	
Proceeding Recorded by	Naresh Kumari	

Proceedings

The present complaint has been filed on 03.05.2023 and reply on behalf of respondent was received on 28.08.2023.

Succinct facts of the case as are as under:

S.No	Particulars	Details
1.	Name of the project	"Splendor Spectrum One", Sector-58, Gurgaon
2.	Nature of the project	Commercial Space
3.	RERA registered/not registered	Registered vide registration no. 376 of 2017 dated 07.12.2017
	Validity status	31.12.2018
4.	DTPC License no.	82 of 2010 dated 12.10.2010
	Validity status	29.05.2020
	Licensed area	6.775 acres

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	Name of licensee	M/s Ishoyu Builders and Developers Pvt Ltd
5.	Date of MOU	07.03.2020 [page no. 32 of complaint] For unit 501-527 (27units)
6.	Agreement for sale	19.08.2020 [page no. 60 of complaint] For unit 601-627 (27units)
7.	Unit No. as per allotment letter	501-527 (27 units), 5 th floor, South Tower B [page no. 33 of complaint]
8.	Unit No. as per agreement	601-627 (27units), 6 th floor, South Tower B [page no. 61 of complaint]
9.	Area admeasuring	23,880 sq. ft. (super area) [page no. 61 of complaint]
10.	Possession clause	Not mentioned
11.	Assured return clause	3.Developer has assured the Allottee that the building shall be leased within 6 months from the date of execution oof this MOU. In case the building is not leased in stipulated time, then the Developer will pay Rs. 65/- per sq. ft. per month as an assured return to the Allottee from 14 th September 2020 till the said unit is leased out to the prospective Lessee(s) and rent commencement date whichever is later.
12.	Due date of possession	Cannot be ascertained
13.	Total sale consideration	Rs. 10,98,48,000/- (as per agreement to sell on page no. 63 of complaint)



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14.	Total amount paid by the complainant	
15.	Cancellation of unit no. 503, 504, 505, 506, 507, 508, 509, 510, 511, 512 and 515 and 516	22.12.2022 (page no. 37 of reply)
16.	Creation of third-party rights/ Agreement to sell with third party	27.12.2022 (page no. 21 of reply)
17.	Occupation certificate	--
18.	Offer of possession	--

The counsel for the respondent states that the respondent has moved an application alongwith reply for vacation of stay order passed by the authority on 14.07.2023, copy of the same has been served upon the complainant on 28.08.2023. The counsel for the complainant requests for filing of reply to the application for vacation of stay order. Request is allowed. The counsel for the complainant is directed to file the reply within 4 days with an advance copy to the respondent and the counsel for the respondent is also directed to submit an affidavit regarding the creation of third party rights which is stated to have been created prior to filing of the complaint in this case within 4 days and the matter for vacation of stay is listed for **06.10.2023**.

Sanjeev Kumar Arora

Member

29.09.2023