



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

Day and Date	Wednesday and 07.08.2024
Complaint No.	E/2140/2024/1012/2022 Case titled Sanil Sanan and Kamna Sanan VS Vatika Limited
Complainant	Sanil Sanan and Kamna Sanan
Represented through	Mr Gaurav Rawat Adv
Respondent	Vatika Limited
Respondent Represented through	Mr Dhruv Dutt Sharma Adv
Last date of hearing	
Proceeding Recorded by	Jyoti Malik

Proceedings

Heard on objection raised by JD. It is submitted by learned counsel for objector/JD that DH has wrongly calculated the decretal amount. Same added interest in the principle amount. As per Section 2(za) (ii) promoter is liable to pay the amount the interest till amount is realized. Moreover, Rule 16(2) of the Haryana Real Estate (Regulation and Development) Rules, 2017 obliges the JD to pay arrears of interest accrued on the date of order by the authority within period of 90 days from the date of order and interest for every month of delay is to be paid by the promoter before the 10th day of each subsequent month.

Admittedly, JD did not make payment. In this circumstance, allottee/DH is entitled for interest, as per provisions mentioned above, by adding arrears of interest accrued every month in the principle amount.

An Authority constituted under section 20 the Real Estate (Regulation and Development) Act, 2016
Act No. 16 of 2016 Passed by the Parliament

भू-संपदा (विनियमन और विकास) अधिनियम, 2016 की धारा 20 के अंतर्गत गठित प्राधिकरण
भारत की संसद द्वारा पारित 2016 का अधिनियम संख्यांक 16

Adv
AD



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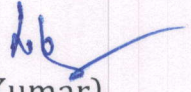
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I find no weight in this objections raised by JD. Same are thus dismissed. Learned counsel for DH requests for direction to JD to disclose its assets/properties including bank account which can be attached to realize the decretal amount. Request is allowed. JD is directed to disclose its assets/properties including bank account and unsold inventories which can be attached to realize the decretal amount. Information to be given in the form of affidavit to be sworn by anyone from directors of JD, preferably ^{by} Managing Director. At the same time, Tehsildar (Recovery Cell) Sh. Ram Charan Sharma be asked to enquire about the property of JD and to file his report till next date.

To come on 08.11.2024 for further proceedings.


(Rajender Kumar)
Adjudicating Officer
07.08.2024