



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

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Day and Date	Tuesday and 06.05.2025
Complaint No.	CR/2210/2024 Case titled as Anoop Kumar and Ram Prakash VS Ansal Housing Limited & Samyak Projects Private Limited
Complainant	Anoop Kumar and Ram Prakash
Represented through	Shri Himanshu Gautam Advocate
Respondent	Ansal Housing Limited & Samyak Projects Private Limited
Respondent Represented	Shri Pushkar Yadav proxy counsel for R1 Ms. Sanya Arora Advocate for R2
Last date of hearing	28.01.2025
Proceeding Recorded by	Naresh Kumari and HR Mehta

Proceedings

The present complaint was filed on 20.05.2024 and the reply on behalf of respondent no. 1 has been received on 09.01.2025 and respondent no. 2 has not filed the reply till date.

Respondent no. 2 vide application dated 15.10.2024 filed for clarification from the complainant about the relief sought by them is against which respondent.

The succinct facts of the case are as follows:

Sr. No.	Particulars	Details
1.	Name of the project	"Ansal Hub 83 Boulevard", Sector-83, Gurugram
2.	Total area of the project	2.60 acres
3.	Nature of the project	Commercial complex part of residential



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		colony
4.	DTCP license no.	113 of 2008 dated 01.06.2008 valid up to and 71 of 2010 dated 15.09.2021 valid up to
5.	Name of licensee	Buzz Estate Pvt. Ltd. & others.
6.	Registered/not registered	Registered vide no. 09 of 2018 dated 08.01.2018 for 2.80 acres. Valid up to 31.12.2020
7.	Unit no.	G-042 [pg. 27 of complaint]
8.	Area of the unit	539 sq. ft. [pg. 27 of complaint]
9.	Date of execution of BBA	18.12.2014 [pg. 22 of complaint]
10.	Possession clause	30 <i>The developer shall offer possession of the unit any time, within a period of 42 months from the or date of execution of the agreement or within 42 months from the date of obtaining all the required sanctions and approval necessary for commencement of construction, whichever is later</i> subject to timely payment of all the dues by buyer & subject to force majeure circumstances as described in clause 31. Further there shall be a grace period of 6 months allowed to the developer over and above the period of 42 months as above in offering the possession of the unit. (Emphasis supplied) [page 34 of complaint]
11.	Date of start of construction	15.12.2014 As per SOA dated 05.07.2019 at pg. 49 of complaint
12.	Due date of possession	18.12.2018 (Note: 42 months from date of agreement)



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		i.e., 18.12.2014 being later. Grace period allowed being unqualified)
13.	Basic sale consideration as per payment plan annexed with BBA at page 43 of complaint	₹80,42,179/-
14.	Total amount paid by the complainant as per SOA dated 05.07.2019 at pg. 48 of complaint	₹76,70,366/-
15.	Offer of possession	Not offered
16.	Occupation certificate	Not obtained

The respondent is directed to pay delayed possession charges at the prescribed rate of interest i.e. 11.10% per annum from the due date of possession i.e. 30.06.2021 till offer of possession plus 2 months or actual handing over of possession whichever is earlier.

The counsel for the respondent No.2 states that an addendum to the agreement has been signed by the complainant with respondent no.2 and as per same, only respondent no.1 is responsible for payment of DPC. However, the Authority is of the view that in terms of Section 2 (z) (K) of the Act, 2016, both the respondents i.e. the landowner as well as developer are jointly and severally responsible.

Detailed order will follow. Matter stands disposed off.

Ashok Sangwan
Member

Arun Kumar
Chairman
06.05.2025

Vijay Kumar Goyal
Member