



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		37
Day and Date	Wednesday and 31.01.2024	
Complaint No.	CR/2280/2022 Case titled as Reema Siani and Rajiv Saini VS Raheja Developers Limited	
Complainant	Reema Siani and Rajiv Saini	
Represented through	Shri Abhijeet Kumar proxy counsel	
Respondent	Raheja Developers Limited	
Respondent Represented	Shri Garvit Gupta Advocate	
Last date of hearing	08.11.2023	
Proceeding Recorded by	Naresh Kumari and HR Mehta	

Proceedings

The present complaint was filed on **08.06.2022** and the reply on behalf of respondent has been filed on 17.10.2023.

The counsel for the complainant is seeking refund of the amount deposited by the complainant for allotment of plot in the project of the respondent. The BBA was executed between the parties on 20.09.2014 and in terms of clause 4.2 of the BBA, the possession of the plot was required to be handed over within a period of 36 months from the date of execution of BBA plus 6 months grace period. However, the Completion Certificate for the project is yet to be received even after delay of more than 9 years of booking.

The counsel for the respondent states that the CC for the phase in which the plot of the complainant is situated is yet to be applied. However, he also points out to clause 4.3 of the BBA according to which in case there is failure to provide infrastructure facilities by the Govt./its agency then the purchaser would not be eligible to seek compensation for delay. He further states that the respondent is ready to sit to explore the possibility of a settlement to which the counsel for the complainant denies and states that the complainant wishes



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to withdraw from the project and seeks refund under section 18 of the Act, 2016.

Arguments heard.
Order reserved.

The parties may file written submissions within a period of 2 weeks with an advance copy to each other.

Matter to come up on **03.04.2024** for pronouncement of order.

Ashok Sangwan
Member
31.01.2024