



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		23
Day and Date	Friday and 24.01.2025	
Complaint No.	CR/2301/2023 Case titled as Harshvardhan Suri VS ISHV Realtors Private Limited	
Complainant	Harshvardhan Suri	
Represented through	Shri Sumit Gehlawat Advocate	
Respondent	ISHV Realtors Private Limited	
Respondent Represented	Shri Shanker Wig Advocate	
Last date of hearing	27.11.2024	
Proceeding Recorded by	Naresh Kumari and HR Mehta	
Proceedings The present complaint has been received on 07.06.2023 and the reply was received on 01.03.2024. The counsel for the complainant states that as per clause 4 of the MoU dated 04.04.2013, the respondent is obligated to pay assured return till the date of offering of possession to the buyer. Further, as per clause 7 of the MOU, the respondent/developer shall be completely discharged and absolved of all responsibilities under the MOU only after offer of possession. It is matter of fact that the respondent has not offered possession of the said units till date. The assured return was paid by the respondent till December 2020 and has failed to pay assured return thereafter. The complainant visited to inspect site on 16.07.2021 and found that no construction was being carried out by the respondent and the same is evident from photographs at page 54-55 of complaint. The counsel for the respondent states that the respondent has invoked arbitration clause in terms of clause 13 of the MOU dated 04.04.2013 at page 47 of complaint. The matter has been finally heard and argued before the arbitrator and the order is reserved for pronouncement on 08.02.2025. The counsel for the respondent requests for a short adjournment.		



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However, the counsel for the complainant states that the plea of pending arbitration matter has not been raised by the respondent in the reply filed by the respondent.

Matter to come up on 15.04.2025 before the full bench for further proceedings.


Vijay Kumar Goyal
Member
24.01.2025