

PROCEEDINGS OF THE DAY		48
Day and Date	Tuesday and 29.10.2024	
Complaint No.	CR/2326/2023 Case titled as Anita Devi VS NEO Developers Private Limited	
Complainant	Anita Devi	
Represented through	Shri Rajinder Singh Advocate	
Respondent	NEO Developers Private Limited	
Respondent Represented through		
Last date of hearing	08.08.2024	
Proceeding Recorded by	Naresh Kumari and HR Mehta	

Proceedings

The present complaint was filed on 07.06.2023 and registered as complaint No. 2326 of 2023 and reply is received on 25.01.2024.

The succinct facts of the case are as follows:

S. No.	Particulars	Details
1.	Name of the project	"Neo Square"
2.	Location of the project	Sectors 109, Gurugram
3.	Nature of the project	Commercial
4.	Project Area	3.08 acres
5.	DTCP license no. and validity status	102 of 2008 dated 15.05.2008 valid up to 14.05.2024
6.	RERA Registered/ not registered	109 of 2017 dated 24.08.2017 valid up to 23.08.2021
7.	Unit and Floor no.	Food Court unit (As per page no. 33 of the complaint)
8.	Unit area admeasuring	100 sq. ft. (Super Area)



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New PWD Rest House, Civil Lines, Gurugram, Haryana

नया पी.डब्ल्यू.डी. विश्राम गृह, सिविल लाईंस, गुरुग्राम, हरियाणा

		(As per page no. 33 of the complaint))
9.	Allotment Letter	15.03.2016 (As per page no. 56 of the complaint)
10.	Date of execution of MoU	21.09.2015 (As per page no. 17 of the complaint)
11.	Assured Return clause	1. The company shall pay a monthly assured return of Rs.9,000/- on the total amount received w.e.f. 21.09.2015 after deduction of tax at source and service tax, cess or any other levy which is due and payable by the allottee(s) to the company and the balance sale consideration shall be payable by the allottee(s) to the company in accordance with the payment schedule annex as Annexure I. the monthly assured return shall be paid to the allottee(s) until the commencement of the first lease on the said unit. This shall be paid from the effective date. (As per page no. 19 of the complaint)
12.	Date of execution of buyer's agreement	21.09.2015 (As per page no. 28 of the complaint)
13.	Possession Clause	N.A.
14.	Total Sale Consideration	Rs.12,21,282/- (As per statement of account on page no. 91 of the reply)



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15.	Amount paid by the complainants	Rs.11,19,526/- (As per statement of account on page no. 91 of the reply)
16.	Assured return paid by the respondent	Rs.4,08,000/- (As per statement of account on page no. 91 of the reply)
17.	Payment Plan	Construction linked plan
18.	Due date of possession	Cannot be ascertained
19.	Occupation certificate /Completion certificate	Not Obtained
20.	Offer of possession	Not available
21.	Demand letters	16.12.2015, 02.02.2017, 16.06.2017, 30.10.2020, 15.09.2021 & 30.09.2021
22.	Lease deed	24.07.2020 (As per page no. 92 of the reply)

Arguments heard.

Order reserved.

Both the parties may submit brief written submissions alongwith the orders passed by the Hon'ble High Court as well as citations within a period of 15 days with an advance copy to each other.

Matter to come up on **14.01.2025** for pronouncement of order.

Ashok Sangwan
Member

Vijay Kumar Goyal
Member

Arun Kumar
Chairman
29.10.2024