

PROCEEDINGS OF THE DAY		44
Day and Date	Wednesday and 31.08.2022	
Complaint No.	CR/2343/2021 Case titled Nimmi Build Tech Private Limited V/s M/s Ramprastha Developers Private Limited & others	
Complainant	Nimmi Build Tech Private Limited	
Represented through	Shri Sataroop Das and Shri Ashish Ranjan Advocates	
Respondent	1. M/s Ramprastha Developers Private Limited 2. M/s Ramprastha Promoters and Developers Private Limited	
Respondent Represented	Ms. Gayatri Mansa Advocate	
Last date of hearing	29.07.2022	
Proceeding Recorded by	Naresh Kumari and HR Mehta	

Proceedings

The present complaint was filed on 07.06.2021 and the reply on behalf of respondent was received on 06.08.2021.

File has been received on transfer from Adjudicating Officer in view of the judgment dated 11.11.2021 passed by the Hon'ble Apex Court in the case bearing no. **SLP(Civil) No(s). 3711-3715 OF 2021 titled as M/s Newtech Promoters and Developers Pvt Ltd Versus State of U.P. and Ors.,** and wherein it was held that as matters regarding refund and interest under section 18(1) are to be decided by the authority and matters regarding adjudging compensation to be decided by the Adjudicating officer.

The application filed in the form CAO with the adjudicating officer and on being transferred to the authority in view of the judgement quoted above, the issue before authority is whether the authority should proceed further without seeking fresh application in the form CRA for cases of refund along with prescribed interest in case allottee wishes to withdraw from the project on



HARERA
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HARYANA REAL ESTATE REGULATORY AUTHORITY
GURUGRAM

हरियाणा भू-संपदा विनियामक प्राधिकरण, गुरुग्राम

CR/2343/2021

New PWD Rest House, Civil Lines, Gurugram, Haryana

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

failure of the promoter to give possession as per agreement for sale. It has been deliberated in the proceedings dated 10.5.2022 in CR No. 3688/2021 titled Harish Goel Versus Adani M2K Projects LLP and was observed that there is no material difference in the contents of the forms and the different headings whether it is filed before the adjudicating officer or the authority.

The counsel for the complainant requests for filing of amended complaint. Heard. Request is allowed. He is directed to submit the amended complaint in the registry of the authority with an advance copy to the respondent within 15 days and the respondent shall file the reply of the amended complaint within next 15 days.

Matter to come up on 30.11.2022 for further proceedings.

V.I. - 3

Vijay Kumar Goyal
Member

CK

Dr. KK Khandelwal
Chairman
31.08.2022