



HARERA
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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		66
Day and Date	Wednesday and 24.07.2024	
Complaint No.	CR/2411/2023 Case titled as Shalini VS Apex Buildwell Private Limited	
Complainant	Shalini	
Represented through	Shri Gaurav Rawat Advocate	
Respondent	Apex Buildwell Private Limited	
Respondent Represented	Shri Harshit Batra advocate	
Last date of hearing	10.04.2024	
Proceeding Recorded by	Naresh Kumari and HR Mehta	

Proceedings

The present complaint was filed on **02.06.2023** and registered as complaint no. **2411** of **2023**. Reply on behalf of the respondent was filed on **09.01.2024**.

Succinct facts as per the complaint and the reply are as follows:

S.No.	Heads	Information
1	Name of project	"Our Homes", Sector-37, Gurugram, Haryana.
2	Project area	10.144 acres.
3	Nature of the project	Low cost/Affordable Group Housing
4	Rera registered	Registered 40 of 2019 dated- 08.07.2019
5	Allotment letter	11.02.2013 (As on page no. 88 of complaint)
6	Unit no.	404, Floor-4 th , Block/Tower-Jasmine (As on page no. 33 of complaint)



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CR/2911/2023

New PWD Rest House, Civil Lines, Gurugram, Haryana

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

7	Unit measuring	516.67 sq.ft.. along with one car parking (As on page no. 33 of complaint)
8	Date of execution of buyer's agreement	11.02.2013 (As on page no. 30 of complaint)
9.	Possession clause	POSSESSION (a) Offer of possession <i>Within a period of thirty (36) months, with a grace period of 6 month, from the date of commencement of construction of the Complex upon the receipt of all project related approvals including sanction of building plans/revised plan and approval of all concerned authorities including the Fire Service Department, Civil Aviation Department, Traffic Department, pollution Control Department etc., as may be required</i> [Emphasis supplied] (As on page no. 39 of complaint)
10	Due date of possession	26.06.2017 [Calculated 4 years from date of EC]
11	Basic sale consideration	Rs.16,00,000/- (As on page no. 33 of complaint)
12	Total amount paid by the complainant	Rs. 17,95,113/-
13	Offer of possession	30.11.2019 (As on page no. 82 of complaint)
14	Unit handover letter	05.11.2020 (As on page no. 87 of complaint)



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15	No dues certificate	05.11.2020 (As on page no. 89 of complaint)
16	Conveyance deed	28.06.2021 (As on page no. 92 of complaint)

The counsel for the complainant is seeking delayed possession charges and other relief in terms of provisions of Section 18 and 11 (4) (a) of the Act 2016.

The counsel for the respondent states that the complaint is barred by limitation for which he shall be submitting written submissions within a period of 2 weeks. The counsel for the complainant may also file written submissions within 2 weeks thereafter.

Arguments heard.

Order reserved.

Matter to come up on 04.09.2024 for pronouncement of order.

Ashok Sangwan
Member
24.07.2024