

PROCEEDINGS OF THE DAY
61

Day and Date	Thursday and 07.03.2024
Complaint No.	CR/2417/2022 Case titled as Chitrakshi Nyyer VS Sunrays Heights Private Limited
Complainant	Chitrakshi Nyyer
Represented through	Complainant in person with Shri Vijay Partap Singh, Advocate
Respondent	Sunrays Heights Private Limited
Respondent Represented through	Shri Sujan Singh, Advocate (filed POA)
Last date of hearing	7.12.2023
Proceeding Recorded by	H.R.Mehta

Proceedings

The present complaint has been received on 01.06.2022 the reply on behalf of respondent has not been received within the stipulated time period despite service of notice. Therefore, in view of order dated 07.12.2023, the defence of the respondent was struck off.

S. N.	Particulars	Details
1.	Name of the project	"Sixty-Three Golf Drive", Sector 63A Gurugram
2.	Nature of the project	Affordable group housing
3.	RERA registered or not registered	249 of 2017 dated 26.09.2017 valid up to 25.09.2022
4.	DTCP license	82 of 2014 dated 08.08.2014 valid up to 31.12.2023
5.	Unit no.	F112, Tower F (page 73 of complaint)
6.	Unit admeasuring	613.31 (carpet area) (page 73 of complaint)



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हरियाणा मू-संपदा विनियामक प्राधिकरण, गुरुग्राम

CR/2417/2022

New PWD Rest House, Civil Lines, Gurugram, Haryana

नया पी.डब्ल्यू.सी. विधान गृह, सिविल लाईन्स, गुरुग्राम, हरियाणा

7.	Allotment letter	30.06.2017 (page 56 of complaint)
8.	Date of execution of Buyers agreement	06.02.2016 (page 30 of complaint)
9.	Possession clause	4.1 <i>The Developer shall endeavor to handover possession of the said flat within a period of four years i.e. 48 months from the date of commencement of project, subject to force majeure & timely payments by the allottee towards the sale consideration, in accordance with the terms as stipulated in the present agreement.</i> (page 34 of complaint) <i>*Note: As per affordable housing policy 2013 1(iv) All such projects shall be required to be necessarily completed within 4 years from the approval of building plans or grant of environmental clearance, whichever is later. This date shall be referred to as the "date of commencement of project" for the purpose of this policy. The licence shall not be renewed beyond the said 4 years from the date of commencement of project.</i>
10.	Date of building plan	10.03.2015 (taken from another file CR/2814/2021 decided on 30.11.2023 of same project)
11.	Date of environment clearance	16.09.2016 (taken from another file CR/5238/2022 of same project)
12.	Due date of possession	16.03.2021 (16.09.2020 plus six months in lieu of covid-19) (calculated from the date of environment clearance)
13.	Total sale consideration	Rs.24,99,500/- (as per BBA page 41 of complaint)
14.	Amount paid by the complainant	Rs.22,76,731/-



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CR/2417/2022

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		(as alleged by complainant page 08 of complaint)
15.	Occupation certificate	Not obtained
16.	Offer of possession	Not offered

The counsel for the complainant states that the complainant is seeking delayed possession charges.

There are two allottees but the affidavit has been filed only by one allottee and the counsel for the complainant has filed power of attorney only for one allottee. The complainants are directed to file affidavit and power of attorney of the counsel individually. Also to place on record the receipts of payment made to the respondent.

Matter to come up on 18.4.2024 for further proceedings.

V.I-3
Vijay Kumar Goyal
Member
07.03.2024