



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. विभाग गृह, सिविल लाईंस, गुरुग्राम, हरियाणा

PROCEEDINGS OF THE DAY		42
Day and Date	Thursday and 23.02.2023	
Complaint No.	CR/2502/2022 Case titled as Rohit Khana and Jaya Khana Vs Prompt Engineering Private Limited	
Complainant	Rohit Khana and Jaya Khana	
Represented through	Shri S.S. Hooda Advocate	
Respondent	Prompt Engineering Private Limited	
Respondent Represented	Ms. Shriya Takkar Advocate	
Last date of hearing	09.11.2022	
Proceeding Recorded by	Naresh Kumari and HR Mehta	

Proceedings

The complaint has been received on 06.06.2022 The reply has been filed by the respondent on 02.11.2022.

Succinct facts of the case as per pleadings and annexures are as under:

S.no.	Particulars	Details
1.	Name of the project	"M3M Corner Walk", Sector 74, Gurugram, Haryana
2.	Nature of the project	Commercial Project
3.	Unit no.	R4-LG 010 on Lower ground in block 4 (As per annexure A4 on page 28 of complaint)
4.	Unit admeasuring area	850.75 sq. ft. of super area (As per annexure A4 on page 28 of complaint)
5.	Allotment letter	04.09.2019 (As per annexure A4 on page 28 of complaint)
6.	Date of builder buyer agreement	24.04.2019 Page 66 of complaint

An Authority constituted under section 20 the Real Estate (Regulation and Development) Act, 2016
भू-संपदा (विनियामन और विकास) अधिनियम, 2016 की धारा 20 के अंतर्गत गठित प्राधिकरण



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CR/2504/2022

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7.	Possession clause	Schedule for possession of the Unit: The promoter agrees and understands that timely delivery of possession of the unit along with the car parking space(s), if any, to the Allottee and the Common Areas to the Association of Allottees or the Competent Authority, as the case may be, as provided under the Act and Rule 2(1)(f) of the Rules, 2017, is the essence of the Agreement.
8.	Pre cancellation notice	21.04.2021 (As per annexure R-14 on page no. 144 of reply)
9.	Cancellation notice	25.05.2021 (As per annexure R-15 on page no. 145 of reply)
10.	Payment plan	Time linked payment plan (As per page no. 33 of complaint)
12.	Total sale consideration	Rs. 1,19,71,144/- (As per annexure A on page 33 of complaint)
13.	Total amount paid by the complainant	Rs. 28,75,671/- (as alleged by the complainant)
14.	Percentage of amount paid	24.02%
15.	Occupation certificate	31.08.2021 (As per annexure R-4 on page no. 86 of reply)
16.	Offer of possession	Not offered being cancelled

The counsel for the complainant states that after making payment of Rs.28,75,671/-, the unit No.R2LG 016 was allotted but later-on on 02.07.2018, the unit was changed to R2LG 015 as the earlier unit has been allotted to some other allottee. Further, the unit allotted now is R2LG 010 and now being intimated that this unit has also been cancelled on 25.05.2021. The complainant allottee requests that either the earlier allotted unit be given or the refund with interest be given.



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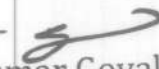
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However, the counsel for the respondent denies all the above allegations and requests for arguments.

Due to paucity of time, arguments could not be heard and matter to come up on 03.08.2023 for final arguments.

V. I. - 
Vijay Kumar Goyal
Member
23.02.2023