



HARERA
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HARYANA REAL ESTATE REGULATORY AUTHORITY
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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		33
Day and Date	Tuesday and 13.08.2024	
Complaint No.	CR/2532/2021 Case titled as JAYANT JOHRI AND KANIKA JOHRI VS KNS INFRACON PVT.LTD	
Complainant	JAYANT JOHRI AND KANIKA JOHRI	
Represented through	Shri Mohan Kumar Advocate	
Respondent	KNS INFRACON PVT.LTD	
Respondent Represented through	Shri Rishabh Jain Advocate	
Last date of hearing	16.07.2024	
Proceeding Recorded by	Naresh Kumari and HR Mehta	
Proceedings The present complaint has been filed on 19.07.2021 and the reply has been filed on 18.10.2021. The succinct facts of the compliant are as under: -		
S. No.	Heads	Information
1.	Project name and location	'Capital Gateway, Sector-111, Gurugram
2.	Project area	10.462 acres
3.	Nature of the project	Residential
4.	DTCP license no. and validity status	34 of 2011 dated 16.04.2011 valid upto 15.04.2024
5.	Name of licensee	KNS Infracon Pvt. Ltd. and others
6.	RERA registered/ not registered	Registered vide regd. No. 12 of 2018 dated 10.01.2018
7.	Unit no.	1204, 12 th floor, tower D
8.	Date of execution of buyers' agreement	11.12.2015
9.	Payment plan	Construction linked payment plan
10.	Total sale consideration	Rs. 1,14,086,980/-

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



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11.	Total amount paid by the complainant	Rs. 1,66,11,610/- (CRA)
12.	Due date of delivery of possession (within 54 months from the date of sanction of building plan which is 07.06.2012)	07.12.2016
13.	Offer of possession	Not offered
14.	Occupation certificate	Not obtained

The counsel for the complainant has filed written submissions on 05.03.2024 clarifying that the refund of the amount shall be made after adjusting the amount already refunded to the PNB Housing and LIC.

The counsel for the respondent states that the complainant has sold the unit and the details of the bank account statement which can be issued to the individual allottee. The counsel for the respondent states that OC of the unit is not yet received and is expected within next one month. In view of the due date having elapsed in the year 2016 and hence, the complainant cannot be expected to wait endlessly for handing over of unit and hence, he is seeking the refund of the amount deposited by the complainant. Refund is allowed alongwith prescribed rate of interest i.e. 11% per annum from the date of each payment till its realization. The amount already refunded to the Bank by the respondent shall be deducted from the amount so calculated.

Detailed order will follow. Matter stands disposed off.

Ashok Sangwan
Member

V.1-3
Vijay Kumar Goyal
Member

Arun Kumar
Chairman
13.08.2024