



PROCEEDINGS OF THE DAY		38
Day and Date	Thursday and 03.04.2025	
Complaint No.	CR/2718/2024 Case titled as Sarla Kapoor VS NEO Developers Private Limited	
Complainant	Sarla Kapoor	
Represented through	Shri Anand Dabas Advocate	
Respondent	NEO Developers Private Limited	
Respondent Represented through	S/Shri Venket Rao and Pankaj Chandola Advocates	
Last date of hearing	16.01.2025	
Proceeding Recorded by	Naresh Kumari and HR Mehta	

Proceedings

The present complaint was filed on 06.06.2024 and registered as complaint No.2718 of 2024. And reply was received on behalf of respondent on 16.01.2025.

That the preset complainant earlier filed a complaint seeking delay possession charges which was allowed by this Auhtoirty on 25.01.2022.

- The respondent is directed to pay the interest at the prescribed rate i.e. 9.30% per annum for every month of delay on the amount paid by the complainants from due date of possession + six months of grace period is allowed i.e. 15.06.2019 till actual handing over of possession or offer of possession plus 2 months, whichever is earlier. The arrears of interest accrued so far shall be paid to the complainants within 90 days from the date of this order as per rule 16(2) of the rules.
- The complainants are directed to pay outstanding dues, if any, after adjustment of interest for the delayed period.
- The rate of interest chargeable from the complainants/allottees by the promoter, in case of default shall be charged at the prescribed



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. विश्राम गृह, सिविल लाईंस, गुरुग्राम, हरियाणा

rate i.e., 9.30% by the respondent/promoter which is the same rate of interest which the promoter shall be laible to pay the allottee, in case of default i.e, delay possession charges as per section 2(za) of the Act.

- iv) The respondent is directed to comply with the provisions of section 14(2) of the Act of 2015 in case there is a revsion, addition/alteration in the bhuilding plan.
- v) The respondent shall not charge anything from the complainants which is not the part of buyer's agreement.

Thereafter, the complainants filed an exectution petition with the Authority, in which vide order dated 01.03.2023 an Recovery Certificate of Rs.81,85,266/- was issued calculted upto 31.01.2023.

Now the complainant has filed fresh complaint seeking following reliefs:

1. The demand letter dated 08.02.2024 may kindly be stayed/ cancelled being unjustified and uncalled for;
2. The cancellation letter dated 08.05.2024 may kindly be set aside being illegal and unjustified;
3. Possession of the unit no's 409-419, 4th floor, tower-A, may kindly be offered to the complainants;
4. Respondent may kindly be directed to pay the delayed possession charges up to date to the complainants;

The counsel for the respondent states that an appeal has been filed by the respondent before the Hon'ble Appellate Tribunal and the same is pending. Upon this the counsel for the complainant states that although the respondent has filed appeal against the order dated 25.01.2022 but till date it is the respondent who does not deposited the pre-deposit amount for listing of their appeal before the Hon'ble Appellate Tribunal, which is resulting to the dismissal of appeal on next date of hearing.

Matter be put up before the **Full Bench** on **22.07.2025** for further proceedings.

V.1

Vijay Kumar Goyal
Member