

PROCEEDINGS OF THE DAY		38
Day and Date	Wednesday and 21.08.2024	
Complaint No.	CR/273/2024 Case titled as Passerine Wealth Solutions Private Limited VS Pareena Infrastructure Private Limited	
Complainant	Passerine Wealth Solutions Private Limited	
Represented through	Shri Pankaj Chandola Advocate	
Respondent	Pareena Infrastructure Private Limited	
Respondent Represented	Shri Prashant Sheoran Advocate	
Last date of hearing	15.05.2024	
Proceeding Recorded by	Naresh Kumari and HR Mehta	
Proceedings The present complaint has been received on 29.01.2024 and the reply on behalf of respondent has been received on 10.04.2024. Succinct facts of the case are as under:		
S.N.	Particulars	Details
1.	Name and location of the project	"Coban Residentes", sector-99A, Gurgaon
2.	Nature of the project	Group Housing Project
3.	Project area	10.5875 acres
4.	DTCP license no.	10 of 2013 dated 12.03.2013 valid up to 11.06.2024
5.	Name of licensee	Monex Infrastructure Pvt. Ltd.
6.	RERA Registered/ not registered	Registered Vide no. 35 of 2020 issued on 16.10.2020 valid up to 11.03.2022 + 6 months = 11.09.2024
7.	Unit no.	1604, tower T-3, 16 th Floor (Page 28 of complaint)



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हरियाणा भू-संपदा विनियामक प्राधिकरण, गुरुग्राम

CR 213/2021

New PWD Rest House, Civil Lines, Gurugram, Haryana

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

8.	Unit admeasuring area	1997 sq. ft. of super area (page 28 of complaint)
9.	Provisional allotment letter	27.11.2013 (page 24 of complaint)
10.	Date of builder buyer agreement	04.04.2014 (Page 26 of complaint)
11.	Possession Clause	3.1. Possession <i>That the Developer shall, under normal conditions, subject to force majeure, complete construction of Tower / Building in which the said Flat is to be located within 4 years of the start of construction or execution of this agreement, whichever is later. (Emphasis supplied)</i>
12.	Date of start of construction	01.10.2014 (start of excavation) (Page 25 of reply)
13.	Due date of possession	01.10.2018 (calculated from the date of start of construction)
14.	Total sale consideration	Rs.1,21,43,771/- (as per BBA at page 51 of complaint)
15.	Total amount paid by the complainant	Rs.20,27,971/- (as per cancellation letter at page 64 of the complaint)
16.	Occupation certificate	13.12.2022 (page 21 of reply)
17.	Demand letter	05.01.2021 (page 63 of reply)
18.	Pre-cancellation letter	23.01.2021 (page 66 of reply)
19.	Cancellation letter	23.02.2021 (page 70 of reply)

Arguments heard.



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The cancellation of the unit dated 23.02.2021 on account of non - payment of due instalment is up-held. The respondent is directed to refund the balance amount after forfeiting 10% of the sale consideration with interest at the prescribed rate i.e. 11.10% per annum from the date of cancellation till its realization.

Detailed order will follow. Matter stands disposed off.

Ashok Sangwan
Member
21.08.2024