

PROCEEDINGS OF THE DAY		31
Day and Date	Tuesday and 09.04.2024	
Complaint No.	CR/2782/2021 Case titled as AKHILESH BANSAL VS KNS INFRACON PVT.LTD	
Complainant	AKHILESH BANSAL	
Represented through	Shri Sushil Yadav Advocate	
Respondent	KNS INFRACON PVT.LTD	
Respondent Represented	Ms. Stuti Jain proxy counsel	
Last date of hearing	28.02.2024	
Proceeding Recorded by	Naresh Kumari and HR Mehta	

Proceedings

The present complaint has been filed on 14.07.2021 and the reply has been filed on 29.09.2021.

An application for amendment of relief from that of refund to delayed possession charges alongwith possession had been submitted on 27.4.2022 and the counsel for the respondent had opposed the same verbally in the hearing dated 4.1.2023 stating that third party rights have been created in the project. The counsel for the respondent states that on 2016, the flat buyer agreement was executed between the parties. Thereafter the complainant vide agreement to sell dated 10th June, 2016 with Brice Town Planners Private Limited had created third party rights. The complainant has no rights against the said unit

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



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हरियाणा भू-संपदा विनियामक प्राधिकरण, गुरुग्राम

CR/2782/2021

New PWD Rest House, Civil Lines, Gurugram, Haryana

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

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.	004, tower F (CRA)
8.	Date of execution of buyers' agreement	07.04.2016 (Page 22 of complaint -CRA)
9.	Payment plan	Construction linked payment plan
10.	Total sale consideration	Rs. 66,16,750/- (Page 23 of complaint -CRA)
11.	Total amount paid by the complainant	Rs. 27,41,084/- (Page 23 of complaint -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 an application for amendment of the relief from refund to DPC and has been allowed during the last proceedings.

The counsel for the respondent may file written submissions within 3 weeks after supplying a copy to the counsel of the complainants.



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CA/2-1824/2021

New PWD Rest House, Civil Lines, Gurugram, Haryana नया पी. डब्ल्यू. डी. विश्राम गृह, सिविल लाईंस, गुरुग्राम, हरियाणा

The proxy counsel further states that the unit was under a financial arrangement with ICICI and PNB and payment towards loan /interest have been made by the respondent and the details will be filed with the written submissions.

Matter to come up on 16.07.2024 for final arguments.

Ashok Sangwan
Member

Vijay Kumar Goyal
Member

Arun Kumar
Chairman
09.04.2024