



HARERA
GURUGRAM

HARYANA REAL ESTATE REGULATORY AUTHORITY
GURUGRAM

हरियाणा मू-संपदा विनियामक प्राधिकरण, गुरुग्राम

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

8.	Unit Area	369.98 sq. ft. [Carpet Area] 56.73 sq. ft. [Balcony area] (As on page no. 44 of complaint)
9.	Buyer's Agreement	28.03.2022 (As on page no. 43 of complaint)
10.	Possession Clause	Clause 7 POSSESSION OF THE SAID FLAT 7.1the Promoter shall offer possession of the Said Flat to the Allottee within a period of 4 years from the date of approval of building plans or grant of environmental clearance, whichever is later ("Commitment period")... [Emphasis supplied]
11.	Environmental clearance	09.10.2017
12.	Due date of Possession	09.04.2022 [Calculated 4 years from date of E.C + 6 months grace period]
13.	Total sale consideration	Rs.15,08,285/- (Page no. 48 of complaint)
14.	Amount paid by the complainant	Rs.14,90,000/-
15.	Cancellation letter	09.02.2024 (As stated by the respondent in the application for dismissal of the complaint)
16.	Occupation certificate	22.02.2022
17.	Offer of possession	Not available

The complainant is seeking directions to the respondent to complete the development work of the flat, give physical possession, and not to charge any illegal and unlawful demands and interest on delayed payment.

The complainant had paid Rs.14,90,000/- out of the total sale consideration of Rs.15,08,285/- and is further ready to pay all the legitimate demands as agreed. The respondent has illegally charged an unlawful interest at unjustified rate from the complainant on the ground of delayed payment.

The complainant states that on 27.03.2024, the respondent sent an email and provided a special offer "March Bonanza Scheme" wherein 20% waiver in total



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New PWD Rest House, Civil Lines, Gurugram, Haryana

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

interest value was offered to the complainant if the complainant clears all dues by 31.03.2024 or 01.04.2024. The outstanding demand at that time according to the respondent was Rs.7,10,158/- and after discount Rs.6,75,158/- to the complainant via e-mail dated 04.06.2024. The complainant availed the offer and made part payment of Rs.3,00,000/- via IMPS on 08.06,2024. The said amount was accepted by the respondent and again a revised demand of Rs.4,12,024/- was issued vide email dated 17.06.2024.

The respondent shall issue a revised SoA within 15 days from the date of this order. The complainant is directed to pay the outstanding dues within next 30 days after receipt of revised SoA along with interest at the rate i.e. 11.10% per annum on the outstanding amount under the Act, 2016 .

The outstanding amount shall be paid within a period of 60 days to the respondent and possession shall be handed over in next 15 days from the date of payment and CD shall also be executed in terms of Section 17 of the Act.

Arguments heard.

Order reserved. Detailed order will follow.

Ashok Sangwan
Member

Arun Kumar
Chairman
01.04.2025

Vijay Kumar Goyal
Member