



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

Day and Date	Monday and 03.07.2023
Complaint No.	E/5049/2021/808/2018 Case titled Poonam Chawla Vs Ramaprastha Promoter & Developers Limited
Complainant	Poonam Chawla
Represented through	Mr Nishant Jain Adv
Respondent	Ramaprastha Promoter & Developers Limited
Respondent Represented through	Ms R. Gayathri Mansa Adv Mr Soumen Sanyan Adv for HDFC Bank
Last date of hearing	
Proceeding Recorded by	Jyoti Malik

Proceedings

This is a petition seeking execution of order passed by the Authority dated 30.01.2019. The authority found that complainant was entitled for DPC to be paid by respondent, at the prescribed rate of interest i.e. 10.75% per annum w.e.f 31.01.2016, as per provisions of Section 18(1) of the Real Estate (Regulation and Development) Act, 2016, till offer of possession of subject unit.

By order of the authority dated 03.03.2022, bank account of JD no. 50200037974670 with HDFC Bank Ltd. was ordered to be attached. The bank manager was directed to recover the decretal amount from said bank

An Authority constituted under section 20 the Real Estate (Regulation and Development) Act, 2016
Act No. 16 of 2016 Passed by the Parliament

भू-संपदा (विनियमन और विकास) अधिनियम, 2016 की धारा 20 के अंतर्गत गठित प्राधिकरण

भारत की संसद द्वारा पारित 2016 का अधिनियम संख्यांक 16



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account of JD. No such amount was recovered. Show cause notice was ordered to be issued again said bank manager, alongwith bailable warrants.

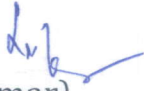
It is submitted by counsel for the Bank Manager that said account was already attached in some other case. It is explained by him that an amount of about Rs. 61,00,000/- was in balance in that account, while the same was attached for recovery of an amount of about Rs. 56,00,000/-.

Learned counsel for DH requests to issue recovery certificate to recover decretal amount. All this is not objected by counsel for JD. Although she requests to defreeze account of her client mentioned above.

As recovery certificate is being issued, no reason to attach said account simultaneously. Request in this regard is allowed. Bailable warrants as well as show cause notice issued against said bank manager are recalled.

Matter is referred to Accountant of authority for 28.07.2023, for calculation of amount due so that recovery certificate can be issued to the collector. Parties may appear before Accountant on said date.

To come on 07.08.2023 before this forum, for further proceedings. Accountant to file report till this date.


(Rajender Kumar)
Adjudicating Officer
03.07.2023