



HARERA
GURUGRAM

HARYANA REAL ESTATE REGULATORY AUTHORITY
GURUGRAM

हरियाणा भू-संपदा विनियामक प्राधिकरण, गुरुग्राम
CR/321/2024

New PWD Rest House, Civil Lines, Gurugram, Haryana

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

		(As on page no. 29 of complaint)
7.	Unit No.	606, Tower-G, Floor-6 th (As on page no. 33 of complaint)
8.	Unit Area	873 sq.ft [carpet Area] (As on page no. 33 of complaint)
9.	Date of execution of agreement for sale	03.10.2019 (As on page no. 31 of complaint)
10.	Possession clause	Clause-7 POSSESSION OF APARTMENT FOR RESIDENTIAL USAGE 7.1 Schedule for possession of the said Apartment- The Promoter agrees and understands that timely delivery of possession of the Apartment to the Allottee(s) and the Common Area to the Association or the Competent Authority, as the case may be, as provided under Rule 2(1) (f) of Rules, is the essence of the Agreement. The Promoter assures to hand over possession of the Apartment on or before 25.10.2021 unless there is delay due to "force majeure", court orders, government policy/guidelines, decisions affecting the regular development of the real estate project. [Emphasis supplied]
11.	Due date of possession	25.04.2022 [25.10.2021 + 6 months on account of Covid-19]
12.	Tri-partite agreement [With SBI]	18.10.2019
13.	Total sale consideration	Rs.90,60,791/- (As on page no. 35 of complaint)

14.	Total amount paid by the complainant	Rs.61,74,563/-
15.	Cancellation letter	16.03.2024 (As on page no. 42 of reply)
16.	Occupation certificate	Not obtained
17.	Offer of possession	Not offered

The complainant failed to pay the required EMIs to the Bank pursuant to which the SBI Bank vide letter dated 15.01.2024 sought revocation of Tri-partite agreement.

The complainant has sought following relief(s):

Refund of Rs.80,19,563/-.

The counsel for the respondent is directed to file affidavit of the director of the company accompanied with board resolution to the effect of the present proceedings in the DRT, settlement of the Bank dues and the status regarding deposit of Rs.18,45,000/- as claimed by the complainant and as admitted in the payment request letter dated 18.10.2019 within a period of 2 weeks.

Parties may also file written submissions within a period of 2 weeks with an advance copy to each other.

Order reserved.

Matter to come up on **02.07.2025** for pronouncement of order.

Ashok Sangwan
Member
14.05.2025