PROCEEDINGS OF THE DAY	65
Day and Date	Wednesday and 01.05.2024
Complaint No.	CR/3499/2023 Case titled as Sunita VS SRV Automotive Private Limited
Complainant	Sunita
Represented through	Ms. Sonali Karwasra Joon, Advocate
Respondent	SRV Automotive Private Limited
Respondent Represented through	None
Last date of hearing	28.02.2024
Proceeding Recorded by	Naresh Kumari and HR Mehta

Proceedings

The present complaint was filed on 01.08.2023 and reply on behalf of the respondent has not been obtained till date. Vide proceedings dated 28.02.2024, the defence of the respondent was struck off.

Succinct facts of the case as per complaint and annexures are as under:

S. N.	Particulars	Details
1.	Name of the project	"Landmark The Homes", Sector- 81, Gurugram, Haryana.
2.	Project Area	5 acres
3.	Nature of the project	Residential
4.	DTCP license no. and validity status	4 of 2021 dated 02.03.2021 valid upto 01.03.2026
5.	Name of licensee	SRV Automotives Pvt. Ltd.

6.	RERA Registered/ not registered	Registered vide no. 36 of 2021 dated 16.07.2021 valid upto 28.02.2026
7.	Unit no.	C-0403, 4th floor, tower C (Allotment letter at page 16 of complaint)
8.	Unit area admeasuring (super area)	645.484 sq. ft. Carpet area and 143.817 sq. ft. balcony area (Allotment letter at page 16 of complaint)
9.	Allotment cum demand letter	09.10.2021 (Page 16 of complaint)
10.	Total sale consideration	Rs. 26,31,936/- (Allotment letter at page 16 of complaint)
11.	Amount paid by the complainants	Rs. 11,14,563/- (Including 4-wheeler car parking charges of Rs.4,50,000/-) (Pleaded by complainant at page 5 of complaint- No proof annexed)
12.	Cancellation Letter	20.06.2023 (Subsequent to final reminder dated 11.04.2023 mentioned at page 21 of complaint, but not annexed- Complainant says it was not received by him due to change of residence owing to ill health of father-in-law.) (Page no. 20 of complaint)

The complainant is seeking the following reliefs:

1. Direct the respondent to set aside cancellation letter dated 20.06.2023 and restore allotment of complainant in project of respondent with

immediate effect.

2. Direct the respondent to adjust payment towards 4 wheeler car parking in payment towards flat and accordingly reverse interest on late payment imposed upon the complainant.
3. Direct the respondent to register BBA with immediate effect.

None present on behalf of the respondent despite sufficient opportunities granted (this being the 5th hearing). In view of the above, the respondent is proceeded ex-parte.

Arguments heard.

The complainant is seeking directions to set aside the cancellation notice dated 20.6.2023 and execution of BBA including four wheeler car parking for which payment has already been made.

Arguments heard.

Order reserved.

Matter to come up on 21.8.2023 for pronouncement of orders.

Ashok Sangwan
Member
01.05.2024