



HARERA
GURUGRAM

HARYANA REAL ESTATE REGULATORY AUTHORITY
GURUGRAM

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		20-38
Day and Date	Thursday and 12.01.2023	
Complaint No.	- CR/1175/2021 case titled as B R Singh V/s ADTV Communication Pvt. Ltd. - CR/1183/2021 case titled as Raman Chhabra V/s ADTV Communication Pvt. Ltd. - CR/1260/2021 case titled as Rohit Khanna V/s ADTV Communication Pvt. Ltd. - CR/1485/2021 case titled as Vinod Sawhney V/s ADTV Communication Pvt. Ltd. - CR/1492/2021 case titled as Rajeev Mehtani V/s ADTV Communication Pvt. Ltd. - CR/1519/2021 case titled as Abhishek Gupta V/s ADTV Communication Pvt. Ltd. - CR/1525/2021 case titled as Krishan Kumar Singh V/s ADTV Communication Pvt. Ltd. - CR/1546/2021 case titled as Ashok Kumar Garg V/s ADTV Communication Pvt. Ltd. - CR/1551/2021 case titled as Sushma Rani Khara V/s ADTV Communication Pvt. Ltd. - CR/1565/2021 case titled as Sameer Dutt V/s ADTV Communication Pvt. Ltd. - CR/1640/2021 case titled as Shiv Kumar Bhatia V/s ADTV Communication Pvt. Ltd. - CR/1645/2021 case titled as Rajiv Bhatia V/s ADTV Communication Pvt. Ltd. - CR/1649/2021 case titled as Yogesh Kumar V/s ADTV Communication Pvt. Ltd. - CR/1683/2021 case titled as Dr. Santosh Gupta V/s ADTV Communication Pvt. Ltd. - CR/1691/2021 case titled as Siddhartha Gogia V/s ADTV Communication Pvt. Ltd.	



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	16. CR/1712/2021 case titled as Suresh Kapasia V/s ADTV Communication Pvt. Ltd. 17. CR/2195/2021 case titled as Ashwani Wason Chitvan Nagpal through GPA Holder S. K Nagpal V/s ADTV Communication Pvt. Ltd. & anr. 18. CR/2751/2021 case titled as Sanjiv Malhotra V/s ADTV Communication Pvt. Ltd. 19. CR/3502/2021 case titled as Ashutosh Shukla V/s ADTV Communication Pvt. Ltd.
Complainant represented through	Ms. Ritu Kapoor Advocate
Respondent	ADTV Communications Pvt. Ltd.
Respondent Represented through	None
Last date of hearing	15.12.2022
Proceeding Recorded by	Naresh Kumari and HR Mehta
Proceedings The following cases are being taken up together as all these belongs to similar project AEZ ALOHA and the issues are same. Since, the common question of fact and laws are involved, so all the 21 cases are being taken up together by the authority and are being disposed of by this common order. The complaint case bearing no. 1175/2021 is being taken as a lead case in order to determine the issue between the parties. The present complaint has been filed on 20.01.2022 and the reply on behalf of the respondent has not been received till date. As the notice could not be served on the registered address of the respondent, the counsel for the complainant on hearing dated 10.05.2022, requested the authority to issue a public notice against the respondent for its appearance on the next date of hearing. Accordingly, the requisite notice was issued in the newspaper "Dainik Jagran" (Hindi) and "The Tribune" (English) on 26.05.2022. Despite proper service of notice the respondent failed to file	



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the written reply and appeared before the authority. Accordingly, the respondent is proceeded exparte.

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

Project Name: - "AEZ Aloha", Sector 57, Gurugram

10. Schedule for possession of the Said premises

"The possession of the said premises is likely to be delivered by the Company to the Allottee within 36 months from the date of the start of the construction of the tower in which the said flat is located or from the execution of this agreement whichever is later, subject to force majeure circumstances, & on receipt of all payments punctually as per agreed terms and on receipt of complete payment of the basic sale price and other charges due and payable up to the date of possession according to the Payment Plan applicable to the Allottee. The company will pay penalty to its customers @ Rs 5/- per sq.ft. per month for handing over the flat beyond the committed period as stated herein above subject to punctual payment of installment the allottee."

COMMON DETAILS

S. N.	Particulars	Details
1.	Due date of Possession	Calculated from date of execution of buyer agreement as date of start of construction is not available in the files
2.	Occupation certificate	Not obtained
3.	DTCP license details	34 of 1996 in favour of SM Towers Pvt. Ltd. dated 21.03.1996 valid up to 20.03.2015
4.	RERA registration	Not registered ✓

The unit related details of each complaint is as under:

S. no	Complaint no.	Unit no. and area admeasuring	Date of execution of agreement	Due date of possession	Handing over-taking over	Basic sale Price (BSP)/ Amount paid by the complainant. (AP)
1.	CR/1175/2021	301-tower B3 admeasuring 2910 sq. ft. [pg. 59 of complaint]	08.10.2006 [pg. 58 of complaint] date of transfer of	24.07.2014	26.07.2014 [pg. 77 of complaint]	BSP: ₹69,47,500/- AP: ₹57,25,000/-



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			unit in name of complainant 24.07.2014 [pg. 76 of complaint]			
2.	CR/1183/2021	702-tower B4 admeasuring 2937 sq. ft. [pg. 58A of complaint]	19.10.2005 [pg. 57 of complaint] date of transfer of unit in name of complainant 24.06.2020 [pg. 70 of complaint]	24.06.2020	17.01.2015 [pg. 87 of complaint]	BSP: ₹44,05,500/- AP: ₹41,85,225/-
3.	CR/1260/2021	1403-tower D6 admeasuring 2244 sq. ft. [pg. 58A of complaint]	21.07.2006 [pg. 57A of complaint]	21.07.2009	20.12.2017 [pg. 81 of complaint]	BSP: ₹51,12,400/- AP: ₹51,07,287/-
4.	CR/1485/2021	1002-tower D5 admeasuring 2244sq. ft. [pg. 58A of complaint]	25.02.2013 [pg. 57 of complaint]	25.02.2016	01.08.2013 [pg. 78 of complaint]	BSP: ₹89,76,000/- AP: ₹85,28,002/-
5.	CR/1492/2021	501-tower B5 admeasuring 2910 sq. ft. [pg. 60 of complaint]	14.10.2005 [pg. 58 of complaint] date of transfer of unit in name of complainant- NOT KNOWN	NA	23.02.2017 [pg. 96 of complaint]	BSP: ₹50,56,000/- AP: ₹52,47,880/-
6.	CR/1519/2021	503-tower D5 admeasuring 2244 sq. ft. [pg. 58 of complaint]	10.10.2005 [pg. 56 of complaint]	10.10.2008	17.10.2013 [pg. 84 of complaint]	BSP: ₹34,96,720/- AP: ₹33,21,884/-
7.	CR/1525/2021	1001-tower B4 admeasuring 2910 sq. ft. [pg. 61 of complaint]	31.10.2005 [pg. 59 of complaint] date of transfer of unit in name	17.06.2011	28.03.2015 [pg. 110 of complaint]	BSP: ₹56,38,000/- AP: ₹53,63,469/-



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			of complainant 17.06.2011 [pg. 83 of complaint]			
8.	CR/1546/2021	801- tower B5 admeasuring 2910 sq. ft. [pg. 62 of complaint]	30.05.2006 [pg. 59 of complaint] date of transfer of unit in name of complainant 16.03.2011 [pg. 84 of complaint]	16.03.2011	02.01.2016 [pg. 104 of complaint]	BSP: ₹53,47,000/- AP: ₹57,51,435/-
9.	CR/1551/2021	101-tower D5 admeasuring 2231 sq. ft. [pg. 59 of complaint]	27.02.2006 [pg. 57 of complaint] date of transfer of unit in name of complainant 04.10.2016 [pg. 82 of complaint]	04.10.2016	16.09.2014 [pg. 92 of complaint]	BSP: ₹45,83,125/- AP: ₹38,19,309/-
10.	CR/1565/2021	201-tower B3 admeasuring 2910 sq. ft. [pg. 59 of complaint]	08.03.2011 [pg. 57 of complaint]	08.03.2014	01.11.2013 [pg. 88 of complaint]	BSP: ₹77,00,000/- AP: ₹73,15,000/-
11.	CR/1640/2021	901-tower B3 admeasuring 2910 sq. ft. [pg. 62 of complaint]	24.10.2007 [pg. 61 of complaint] date of transfer of unit in name of complainant 14.03.2012 [pg. 73A of complaint]	14.03.2012	09.07.2013 [pg. 80 of complaint]	BSP: ₹1,06,85,000/- AP: ₹1,00,50,000/-
12.	CR/1645/2021	1101-tower B5 admeasuring 2910 sq. ft. [pg. 58A of complaint]	14.10.2005 [pg. 57A of complaint] date of transfer of unit in name	25.03.2016	18.03.2016 [pg. 87 of complaint]	BSP: ₹56,38,000/- AP: ₹53,47,362/-



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			of complainant 25.03.2016 [pg. 86 of complaint]			
13.	CR/1649/2021	1002-tower B3 admeasuring 3283 sq. ft. [pg. 64 of complaint]	20.01.2006 [pg. 62 of complaint] date of transfer of unit in name of complainant 10.11.2010 [pg. 87 of complaint]	10.11.2010	30.09.2013 [pg. 107 of complaint]	BSP: ₹56,52,800/- AP: ₹56,44,700/-
14.	CR/1683/2021	801-tower D5 admeasuring 2231 sq. ft. [pg. 60A of complaint]	04.05.2006 [pg. 59 of complaint]	04.05.2009	15.07.2013 [pg. 85 of complaint]	BSP: ₹44,15,800/- AP: ₹41,95,010/-
15.	CR/1691/2021	501-tower D5 admeasuring 2231 sq. ft. [pg. 61 of complaint]	14.10.2005 [pg. 56 of complaint] date of transfer of unit in name of complainant 27.11.2010 [pg. 83 of complaint]	27.11.2010	01.07.2013 [pg. 95 of complaint]	BSP: ₹48,82,079/- AP: ₹46,37,975/-
16.	CR/1712/2021	601-tower B3 admeasuring 2910 sq. ft. [pg. 64 of complaint]	27.06.2006 [pg. 62 of complaint] date of transfer of unit in name of complainant 09.04.2012 [pg. 91 of complaint]	09.04.2012	Not known	BSP: ₹53,20,000/- AP: ₹50,29,000/-
17.	CR/2195/2021	1001-Tower B3 admeasuring 2910 sq. ft. [pg. 62 of complaint]	06.05.2006 [pg. 60 of complaint]	06.05.2009	29.08.2013 [pg. 99 of complaint]	BSP: ₹83,41,390/- AP: ₹79,24,321/-

An Authority constituted under section 20 the Real Estate (Regulation and Development) Act, 2016

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



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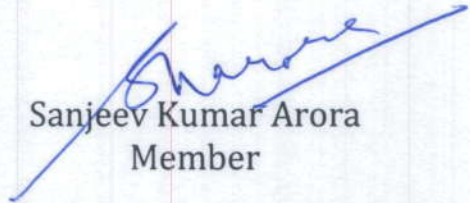
18.	CR/2751/2021	302-tower B4 admeasuring 2937 sq. ft. [pg. 58A of complaint]	09.10.2009 [pg. 57 of complaint] date of transfer of unit in name of complainant 04.04.2017 [pg. 78 of complaint]	04.04.2017	08.11.2016 [pg. 79 of complaint]	BSP: ₹1,05,88,595/- AP: ₹98,61,595/-
19.	CR/3502/2021	1001-Tower D6 admeasuring 2476 sq. ft. [pg. 56 of complaint]	14.08.2018 [pg. 55 of complaint]	14.08.2021	15.09.2018 [pg. 78 of complaint]	BSP: ₹78,40,000/- AP: ₹78,40,000/-

Case has been called out but no one has appeared on behalf of the respondent.

The counsel for the complainant states at bar that written submissions have already been submitted in the registry for better deliberation of the authority.

Order reserved.

Matter to come up on **29.03.2023** for pronouncement of order.


Sanjeev Kumar Arora
Member


Vijay Kumar Goyal
Member
12.01.2023