



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		100
Day and Date	Tuesday and 18.02.2025	
Complaint No.	CR/3532/2023 Case titled as Mohit Mittal VS Sarv Realtors Private Limited & Supertech Limited	
Complainant	Mohit Mittal	
Represented through	Shri Harshit Batra Advocate	
Respondent	Sarv Realtors Private Limited & Supertech Limited	
Respondent Represented through	Shri Dhruv Dargon proxy counsel for R1 Dushyant Tewatia proxy counsel for R2	
Last date of hearing	10.12.2024	
Proceeding Recorded by	Naresh Kumari and HR Mehta	

Proceedings

The present complaint has been received on 28.07.2023 and the reply on behalf of the respondent no. 1 (Sarv Realtors Private Limited) received on 24.06.2024.

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

S.No.	Particulars	Details
1.	Name of the project	Supertech Hues, Sector-68, Gurugram-122101
2.	Project area	55.5294 acres
3.	Nature of project	Group Housing Colony
4.	RERA registered/not registered	Registered vide registration no. 182 of 2017 dated 04.09.2017
	Validity Status	31.12.2021
5.	DTPC License no.	106 & 107 of 2013 dated 26.10.2013
	Validity status	25.12.2017

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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	Name of licensee	Sarv Realtors Pvt. Ltd & Ors.
6.	Unit no.	1104, on 11 th floor, (Page no. 22 of complaint)
7.	Unit measuring tentatively	1180 sq. ft. super area (Page no. 22 of complaint)
8.	Date of execution of Builder developer agreement	02.06.2015 (Page 20 of the complaint) (duly signed by all the parties)
9.	Possession clause as per buyer developer agreement	1. POSSESSION OF THE UNIT:- <i>1. The possession of the allotted unit shall be given to the buyer(s) by the developer in 48 months i.e., by Aug 2018. However, this period can be extended due to unforeseen circumstances for a further grace period of 6 months. (Emphasis supplied) (Page 23 of the complaint)</i>
10.	Due date of possession	Aug, 2019 + 6 months = Feb 2020 (Page 23 of the complaint)
11.	Total sale consideration	Rs.71,56,040/- (Page 23 of the complaint)
12.	Total amount paid by the complainant	Rs.23,31,798/- (as alleged by the complainant, page 16 of complaint)
13.	Occupation certificate	Not obtained
14.	Offer of possession	Not offered

The counsel for the complainant states that the respondent has failed to obtain the occupation certificate and not yet offer the possession of the unit hence the complainant is seeking refund of the deposited amount.

Pleadings are on record. There is inordinate delay on the part of the respondent to offer the physical possession of the unit to the complainant as per terms and conditions of the BBA as the respondent has failed to obtain the occupation certificate till date.



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Arguments heard.

Order reserved.

Both the parties may file written submissions within 15 days with an advance copy to each other.

Matter to come up on 22.04.2025 for pronouncement of order.

Ashok Sangwan
Member


Arun Kumar
Chairman
18.02.2025


Vijay Kumar Goyal
Member