



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		50
Day and Date	Tuesday and 13.05.2025	
Complaint No.	CR/3575/2023 Case titled as Manish Kakkar and Meenakshi Kakkar VS Ansal Housing Limited & Samyak Projects Pvt Ltd.	
Complainant	Manish Kakkar and Meenakshi Kakkar	
Represented through	Shri Himanshu Gautam Advocate	
Respondent	Ansal Housing Limited & Samyak Projects Pvt Ltd.	
Respondent Represented through	Shri Hanu Mittal and Pushkar Yadav, proxy counsels on behalf of R-1 Shri Shankar Wig, Advocate for R-2	
Last date of hearing	04.03.2025	
Proceeding Recorded by	Naresh Kumari and HR Mehta	
Proceedings The present complaint was filed on 01.08.2023 and reply on behalf of respondent no. 1 has not been filed till date. Respondent no. 2 has filed reply on 23.02.2024. Succinct facts of the case as per pleadings and annexures are as under:		
S. No.	Particulars	Details
1.	Project name and location	Ansals Hub 83 Boulevard, Sector 83 Gurugram
2.	Project area	2.60acres
3.	Nature of project	Commercial Project
4.	RERA registered/not registered	Registered 09/2018 Dated 08.01.2018
5.	DTPC license no. & validity	License No. 71 of 2010 dated



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	status	15.09.2010
6.	Date of execution of buyer agreement with original allottee	08.01.2015 R2 is the confirming party (pg. 15 of complaint)
7.	Date of transfer of unit in name of complainant	09.06.2015 (pg. 13 of complaint)
8.	Unit No.	G-005 (pg. 19 of complaint)
9.	Unit area admeasuring	1000 sq. ft. (pg. 19 of complaint)
10.	Possession clause	Clause 30 of BBA <i>The Developer shall offer of the unit any time a period of 42 months from the date of execution of agreement or within 42 months from the date of obtaining all the required sanctions and approval necessary for commencement of construction, whichever is later, further there shall be a grace period 6 months allowed to the developer over and above the period of 42 months.</i>
11.	Due date of Possession	08.01.2019 (Calculated from the date of Execution of Agreement including grace period of 6 months)
12.	Sale consideration	₹1,55,35,200/- (as per BBA at pg. 19 of complaint)
13.	Total amount paid by the complainant	₹51,63,600/- (as per customer ledger dated 10.07.2015 at pg. 39 of complaint)
14.	Offer of Possession	NA
15.	Occupation Certificate	NA

The counsel for the complainant states that the complainant is seeking delayed possession charges and handing over of the possession of the unit.

Occupation certificate is not yet obtained by the respondent.

Cancellation is set aside. The respondents are directed to pay delayed possession charges to the complainant at the prescribed rate of interest i.e. 11.10% p.a. from the due date of possession i.e. 08.01.2019 till valid offer of possession after obtaining occupation certificate from the competent



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CR/35-15/2023

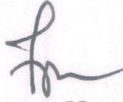
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authority plus two months or actual handing over of possession, whichever is earlier.

Matter stands disposed of. Detailed order will follow. The file be consigned to registry.

Ashok Sangwan
Member


Arun Kumar
Chairman
13.05.2025


Vijay Kumar Goyal
Member