



HARERA
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HARYANA REAL ESTATE REGULATORY AUTHORITY
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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		38
Day and Date	Wednesday and 10.01.2024	
Complaint No.	CR/361/2023 Case titled as Rajan Mayor and Minakshi Mayor VS Orris Infrastructure Private Limited	
Complainant	Rajan Mayor and Minakshi Mayor	
Represented through	Shri Gaurav Rawat Advocate	
Respondent	Orris Infrastructure Private Limited	
Respondent Represented through	Ms. Charu Rustagi Advocate	
Last date of hearing	25.10.2023	
Proceeding Recorded by	Naresh Kumari and HR Mehta	

Proceedings

The present complaint was received on 02.02.2023 and the reply on behalf of the respondent was received on 25.10.2023.

The counsel for the complainant is seeking payment of balance assured return with directions for handover of the unit and restraining the respondent for charging maintenance charges from the complainant as the same are payable by the lessee. The above is being sought in terms of MoU dated 26.9.2008.

The counsel for the respondent states that possession of the unit was offered on 27.3.2018 after obtaining of OC on 16.8.2017. She states that matter was pending with the DTCP for grant of OC due to certain complications (building was constructed without approval of the building plans). The counsel for the respondent claims that the building was completed in the year 2014 as per letter of the respondent dated 14.3.2014 which was written to the DTCP for compounding. The complainant approached the NCLT for payment of dues but the matter was settled between the parties vide settlement deed dated 14.11.2017 (page 36 Annexure R-11) wherein the complainants withdrew their complaint on settlement of dues. An amount of Rs. 1,49,38,065/- has been paid from October,2008 to November,2017. So far the payment of EDC/IDC,



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VAT etc. is concerned, an order of this authority in same project has already been passed on 18.1.2023 in CR No.1297 of 2019.

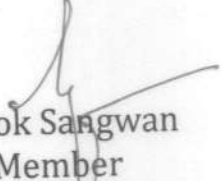
The counsel for the complainant states that the above settlement was upto the point of pending assured return till November,2017 and the settlement was without prejudice to the claims of the parties.

Arguments heard.

Order reserved.

Parties may file written submissions within a period of 15 days after supplying a copy to each other.

Matter to come up on 27.3.2024 for pronouncement of orders.


Ashok Sangwan
Member
10.01.2024