

PROCEEDINGS OF THE DAY		22
Day and Date	Wednesday and 08.05.2024	
Complaint No.	CR/3702/2023 Case titled as Ravi Shankar Sharma and Lalti Devi VS Pivotal Infrastructure Private Limited	
Complainant	Ravi Shankar Sharma and Lalti Devi	
Represented through	Shri Gaurav Rawat Advocate	
Respondent	Pivotal Infrastructure Private Limited	
Respondent Represented	Shri Siddarth Sejwal AR	
Last date of hearing	21.02.2024	
Proceeding Recorded by	Naresh Kumari and HR Mehta	
Proceedings		
The present complaint has been received on 18.08.2023 and the reply on behalf of respondent was received on 23.11.2023.		
Succinct facts of the case as per complaint and annexures are as under:		
S.N.	Particulars	Details
1	Name and location of the project	"Riddhi Siddhi" at sector 99, Gurgaon, Haryana
2	Nature of the project	Affordable Group housing
3	Project area	6.19375 acres
4	DTCP license no.	86 of 2014 dated 09.08.2014 valid upto 08.08.2019
5	RERA Registered/ not registered	Registered vide no. 236 of 2017 dated 19.09.2017 valid upto 08.08.2019
6	Registration extension vide no.	Harera/GGM/REP/RC/236/2017/EXT/177/2019 dated 30.12.2019 valid upto 31.08.2020
7	Unit no.	T7-203, 2 nd floor, Tower-T7 (page 41 of complaint)



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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

8	Unit area admeasuring	487 sq. ft. (Carpet area) (page 41 of complaint)
9	Date of allotment	05.09.2015 (page 30 of complaint)
10	Date of builder buyer agreement	28.10.2015 (Page 40 of complaint)
11	Date of building plan approval	17.10.2014 (page 27 of reply)
12	Environmental clearance dated	22.01.2016 (page 33 of reply)
13	Possession Clause	8.1 EXPECTED TIME FOR HANDING OVER POSSESSION <i>Except where any delay is caused on account of reasons expressly provided for under this Agreement and other situations beyond the reasonable control of the Company and subject to the Company having obtained the occupation/completion certificate from the competent authority(ies), the Company shall endeavor to complete the construction and handover the possession of the said Apartment within a period of 4 years from the date of grant of sanction of building plans for the Project or the date of receipt of all the environmental clearances necessary for the completion of the construction and development of the Project, whichever is later, subject to timely payment by the Allottee of all the amounts payable under this Agreement and performance by the Allottee of all other obligations hereunder.</i>
14	Due date of possession	22.01.2020 [Due date of possession calculated from the date of environmental clearance dated 22.01.2016]
15	Total sale consideration	Rs.19,98,000/- (exclusive of taxes)

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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		(page 42 of complaint)
16	Amount paid by the complainant	Rs.21,19,532.93/- (including taxes) (as per final reminder letter dated 06.03.2023 on page 34 of complaint)
17	Occupation certificate	Not yet obtained
18	Offer of possession	Not offered

The complainant is seeking DPC on account of delay in handing over of possession of the unit in the Affordable Housing project for which the due date of handing over the possession was 22.01.2020 and the OC for the same has not been received till date. The respondent has offered possession for fit out on 24.06.2023 without obtaining OC.

The AR of the respondent states that the building is complete and OC has been applied for. He further states that the amount received from the complainants is only Rs.20,94,465/-.

Arguments heard.

DPC is allowed alongwith interest at the prescribed rate i.e. 10.85% per annum from the due date of handing over of possession till the offer of possession + 2 months or actual handing over of physical possession whichever is earlier after obtaining valid occupation certificate.

Detailed order will follow. Matter stands disposed off.

Ashok Sangwan
Member
08.05.2024