



HARERA
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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
Day and Date	Wednesday and 06.03.2024	
Complaint No.	CR/3748/2021 Case titled as GURPREET SINGH KALSI VS AGRANTE DEVELOPERS PRIVATE LIMITED	
Complainant	GURPREET SINGH KALSI	
Represented through	Shri Kuljeet Singh, proxy counsel	
Respondent	AGRANTE DEVELOPERS PRIVATE LIMITED	
Respondent Represented through	None for the respondent no.1 to R-4 Ms Simran, proxy counsel on behalf of India Bulls R-5	
Last date of hearing	24.1.2024	
Proceeding Recorded by	H.R.Mehta	
Proceedings The present complaint has been received on 08.10.2021 and registered as complaint no. 3748 of 2021. The reply on behalf of respondent was received on 19.05.2022. The respondent no. 1 had submitted an affidavit on 21.12.23 and stated that the respondent no. 1 has paid the amount of Rs. 13,87,261/- to M/s India bulls Housing Finance Ltd. under the subvention scheme towards Pre-EMI on behalf of the complainant. On the last date of hearing i.e., 24.01.2024 the counsel for the respondent No.5 has filed the copy of the account statement to this authority on 21.12.2023 and has handed over a copy of the same to the counsel for the complainant during the course of hearing. The counsel for the complainant has handed over a copy of the summary of the accounts to the counsel for the respondent no.5 during the course of hearing and a copy has also been taken up on record. The counsel for the complainant		



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is seeking refund of the deposited amount on the ground that the respondents R-1 to R-4 have failed to deliver the unit to the allottee in terms of the BBA dated 18.3.2016 as per which the due date of handing over of possession was 18.09.2019.

Arguments heard.

Matter is pending since 2021 and cannot be allowed to linger on any further.

As per record of this authority, the occupation certificate for the project has not been received as yet. The matter is squarely covered under section 18 (1) of the Act of 2016 and in view of the above, the respondents R-1 to R-4 are directed to refund the entire amount deposited by the complainant alongwith interest @ prescribed rate i.e. 10.85% p.a. from the date of each deposit till the date of realization. The respondents shall also be liable to pay pre-EMIs in terms of the Quadra-partite Agreement. The amount paid by the financial institution in terms of the Quadra-partite Agreement shall be paid to the financial institution first and the balance amount shall be refunded to the complainant-allottee thereafter.

Ordered accordingly. Detailed order shall follow.

Ashok Sangwan
Member
06.03.2024