



**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

<b>PROCEEDINGS OF THE DAY</b>		<b>19</b>
Day and Date	Friday and 06.01.2023	
Complaint No.	CR/380/2019 Case titled as ANAND GUPTA ANOTHER Vs ALM INFOTECH CITY PVT.LTD.	
Complainant	ANAND GUPTA ANOTHER	
Represented through	Shri Nitin Jaspal Advocate	
Respondent	ALM INFOTECH CITY PVT.LTD.	
Respondent Represented	Shri Venket Rao Advocate	
Last date of hearing	06.10.2022	
Proceeding Recorded by	Naresh Kumari and HR Mehta	

### **Proceedings**

The counsel for the respondent has already supplied a copy of the reply to the counsel for the complainant and copy of the reply is filed today during proceedings.

The counsel for the complainant states at bar that the unit was booked way back in the year 2012 and BBA was executed on 13.02.2014 and as per same, the flat was to be handed over by September, 2017 and the allottee has paid an amount of Rs.72,09,900/- as per the version of the complainant and as per the respondent, the amount deposited is Rs.66,87,293/- and inspite of having paid sizable amount of consideration money, the unit is neither complete at site nor seems any hope of its completion in near future and hence, the complainant cannot be expected to wait endlessly and hence is seeking full refund alongwith interest from the date of its deposit in view of statutory rights under section 18 (1) of the Act, 2016.

The counsel for the respondent confirms that the occupation certificate of the project is not yet applied as the construction work is not yet completed and recently have been granted financial assistance under Swamih fund to complete the project and timeline given under Swamih fund to complete the project is December 2023 but the complainant allottee is not interested in



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CR/380/2019

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continuing with the project and is exercising the statutory rights under section 18 (1) of the Act for refund of the deposited amount alongwith interest in view of failure of the respondent-promoter to complete the unit much after the due date of possession which has elapsed almost five years back.


Arguments heard.

Refund is allowed.

Detailed order will follow. Complaint stands disposed off. File be consigned to the registry.

  
Sanjeev Kumar Arora  
Member

  
Ashok Sangwan  
Member

  
Vijay Kumar Goyal  
Member  
06.01.2023