

PROCEEDINGS OF THE DAY		28
Day and Date	Wednesday and 21.08.2024	
Complaint No.	CR/3905/2023 Case titled as Col. Ramneesh Pal Singh VS Shree Vardhman Infrahome Private Limited	
Complainant	Col. Ramneesh Pal Singh	
Represented through	Shri Sanyam Diwan Advocate	
Respondent	Shree Vardhman Infrahome Private Limited	
Respondent Represented	Shri Gaurav Rawat Advocate	
Last date of hearing	15.05.2024	
Proceeding Recorded by	Naresh Kumari and HR Mehta	
Proceedings The present complaint was filed on 18.08.2023 and reply on behalf of the respondent was received on 21.02.2024. Succinct facts of the case are as follows:		
S.No.	Particulars	Details
1.	Name and location of the project	“Shree Vardhman Flora”, village Badshapur, Sector-90, Gurugram
2.	Project area	10.881 acres
3.	Nature of the project	Group housing colony
4.	DTCP license no. and validity status	23 of 2008 dated 11.02.2008 valid upto 10.02.2025
5.	Name of the Licensee	Moti Ram
6.	RERA registered/ not registered and validity status	Registered Registered vide no. 88 of 2017 dated 23.08.2017 valid up-to 30.06.2019
7.	Unit no.	1106, tower-C1 (page 21 of complaint)

CR/3905/2023

New PWD Rest House, Civil Lines, Gurugram, Haryana

नया पी.डब्ल्यू.डी. विश्राम गृह, सिविल लाईंस, गुरुग्राम, हरियाणा

8.	Unit area admeasuring	1300 sq. ft. (super area) (page 21 of complaint)
9.	Date of buyer agreement	01.02.2012- Executed with original allottees- Ankur Aggarwal and Nikkhil Gupta) (page 19 of complaint)
10.	Unit endorsed by original allottees in favor of AMB Infratech Pvt. Ltd.	22.02.2012 (page 40 of complaint)
11.	Agreement to sell between ABM Infratech Pvt. Ltd. And the complainant	22.11.2014 (Page 43 of complaint)
12.	Endorsed by ABM Infratech Pvt. Ltd. In favor of the complainant	10.12.2014 (page 48 of complaint)
13.	Possession clause	<i>14 (a) Possession</i> <i>The construction of the flat is likely to be completed within a period of thirty six months (36) of commencement of construction of the particular tower/block in which the flat is located with a grace period of 6 months or receipts of sanction of building plans/revised plans and all other approvals subject of the building plans/revised plans and all other approvals subject to force majeure including any restrains/restrictions from any authorities, non-availability of building materials or dispute with construction agency /workforce and circumstances beyond the control of company and subject to timely payments by the buyer in the said complex.</i> <i>(Emphasis Supplied)</i>
14.	Date of commencement of construction	10.03.2012 (page 65 of complaint)
15.	Due date of possession	10.09.2015 (calculated from date of commencement of construction i.e. 10.03.2012 including grace period of 6 months being unqualified and conditional)
16.	Basic sale consideration	Rs.30,51,230/- (page 22 of complaint)
17.	Amount paid by the complainant	Rs.42,43,732/- as claimed by the complainant

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		(as per customer ledger dated 16.02.2024 at page 64 of reply)
18.	Occupation certificate	02.02.2022 (page 23 of reply)
19.	Offer for fit-outs	01.04.2021 (page 57 of reply)
20.	Offer of possession	20.04.2022 (page 51 of reply)

Arguments heard.

The respondent is directed to pay delayed possession charges at the prescribed rate of interest i.e. 11.10% per annum from the due date of possession i.e. 10.09.2015 till offer of possession i.e. 20.04.2022 + 2 months or actual handing over of possession whichever is earlier.

Detailed order will follow. Matter stands disposed off.

Ashok Sangwan
Member
21.08.2024