

**PROCEEDINGS OF THE DAY**
**33**

|                        |                                                                            |
|------------------------|----------------------------------------------------------------------------|
| Day and Date           | Thursday and 06.03.2025                                                    |
| Complaint No.          | CR/3956/2023 Case titled as Anita Pundir VS Czar Buildwell Private Limited |
| Complainant            | Anita Pundir                                                               |
| Represented through    | Ms Shalini, proxy counsel                                                  |
| Respondent             | Czar Buildwell Private Limited                                             |
| Respondent Represented | None                                                                       |
| Last date of hearing   | 05.12.2024                                                                 |
| Proceeding Recorded by | Naresh Kumari and HR Mehta                                                 |

**Proceedings**

The present complaint was filed on 28.08.2023 and the defense of respondent was struck off vide order dated 19.09.2024.

None present on behalf of the respondent.

Succinct facts of the case as per complaint and reply are as under:

| S. N. | Particulars                      | Details                              |
|-------|----------------------------------|--------------------------------------|
| 1.    | Name of the project              | "Mahira Homes-95"                    |
| 2.    | Project location                 | Village Dhorka, Sector-95, Gurugram. |
| 3.    | Nature of project                | Affordable group housing             |
| 4.    | Area of project                  | 10.44375 acres                       |
| 5.    | HRERA registered/ not registered | <b>Registration revoked</b>          |
| 6.    | DTCP License                     | License no. 24 of 2020               |
| 7.    | Application Fee Paid             | 23.02.2022<br>(Page 21 of complaint) |

CA 3958/2023

New PWD Rest House, Civil Lines, Gurugram, Haryana

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

|     |                                            |                                                                                                                     |
|-----|--------------------------------------------|---------------------------------------------------------------------------------------------------------------------|
| 8.  | Flat Buyer's Agreement                     | Not executed                                                                                                        |
| 9.  | Unit no.                                   | 303, Tower 6<br>(Page 28 of complaint)                                                                              |
| 10. | Possession clause                          | N/A.                                                                                                                |
| 11. | Date of Building plan approval             | 25.10.2021<br>(As per the information provided by the respondent on website at the time of registration of project) |
| 12. | Date of environmental clearance            | 27.04.2022<br>(As per the website of SEIAA, Haryana)                                                                |
| 13. | Due date of possession                     | Cannot be ascertained                                                                                               |
| 15. | Amount paid by the complainant             | Rs.7,01,044/-<br>(As per SOA on page no. 32 of complaint)                                                           |
| 16. | Refund request                             | 27.09.2022<br>(As on page no. 26 of complaint)                                                                      |
| 17. | Acceptance of refund request by respondent | 27.09.2022<br>(As on page no. 24 of complaint)                                                                      |
| 18. | Occupation certificate                     | Not obtained                                                                                                        |
| 19. | Offer of possession                        | Not offered                                                                                                         |

The refund request was made by the complainant on 27.9.2022 which was accepted by the respondent on 27.9.2022 which is within one year of obtaining EC i.e. 27.04.2022 and hence the complainant is entitled for refund along with prescribed rate of interest i.e. @ 11.10% p.a. from the date of refund i.e. 27.09.2022 after deduction in terms of Affordable Housing Policy, which provides deductions as per clause 5(4)(a) of the Affordable Housing Policy as under :-

*On surrender of flat by successful allottee, the amount that can be forfeited by the colonizer in addition to Rs. 25,0000/- shall not exceed:-*

*5(4)(aa) : In case of surrender of flat before commencement of project : nil*



**HARERA**  
**GURUGRAM**

**HARYANA REAL ESTATE REGULATORY AUTHORITY**  
**GURUGRAM**

हरियाणा भू-संपदा विनियामक प्राधिकरण, गुरुग्राम

*Handwritten:* 3956/2023

New PWD Rest House, Civil Lines, Gurugram, Haryana नया पी. डब्ल्यू. डी. विश्राम गृह, सिविल लाईंस, गुरुग्राम, हरियाणा

*5(4)(bb): Upto 1 year from the date of commencement of the project: 1% of the cost of flat*

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In view of the above, the respondent is directed to refund the paid- up amount to the complainant from the date of surrender i.e. 27.09.2022 after deduction as per the terms of the policy, along with prescribed rate of interest i.e. 11.10% p.a. on such balance amount, till its realization.

Matter stands disposed off. Detailed orders will follow.

*Handwritten:* V.I. [Signature]  
Vijay Kumar Goyal  
Member  
06.03.2025