

| PROCEEDINGS OF THE DAY |                                                                                        | 22 |
|------------------------|----------------------------------------------------------------------------------------|----|
| Day and Date           | Friday and 26.05.2023                                                                  |    |
| Complaint No.          | CR/3989/2021 Case titled as SHALINI MEHRA AND AJAY MEHRA Vs KASHISH DEVELOPERS LIMITED |    |
| Complainant            | SHALINI MEHRA AND AJAY MEHRA                                                           |    |
| Represented through    | Shri Virat Tomar Advocate                                                              |    |
| Respondent             | KASHISH DEVELOPERS LIMITED                                                             |    |
| Respondent Represented | None                                                                                   |    |
| Last date of hearing   | 24.03.2023                                                                             |    |
| Proceeding Recorded by | Naresh Kumari and HR Mehta                                                             |    |

### Proceedings

Case has been called out but no one has appeared on behalf of the respondent, hence the defence of the respondent is struck off.

The present complaint was filed on 30.09.2021 and the reply on behalf of the respondent was filed on 02.11.2021.

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

| S. N. | Particulars                          | Details                                            |
|-------|--------------------------------------|----------------------------------------------------|
| 1.    | Name and location of the project     | "Manor One" situated at Sector-111 Gurgaon.        |
| 2.    | Nature of the project                | Group Housing Colony                               |
| 3.    | Project area                         | 14.843 acres                                       |
| 4.    | DTCP license no. and validity status | 110 of 2011 dated 16.12.2011 valid upto 13.12.2019 |
| 5.    | Name of licensee                     | M/s Vinman Construction Pvt. Ltd. and 4 others     |

**CRJ 3189/2021**

New PWD Rest House, Civil Lines, Gurugram, Haryana

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

|     |                                     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
|-----|-------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 6.  | Rera registered or not              | <b>Registered</b><br>Vide 58 of 2019 dated 24.09.2019<br>Valid Upto 31.12.2021                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 7.  | Allotment Letter                    | 02.01.2013<br>(page no. 21 of complaint)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| 8.  | Date of apartment buyers' agreement | 08.01.2014<br>(page no. 23 of complaint)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| 9.  | Unit No.                            | A-5H, 5 <sup>th</sup> Floor, Tower A<br>(page no. 27 of complaint)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| 10. | Unit area admeasuring               | 895 sq. ft.<br>(page no. 27 of complaint)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| 11. | Due date of possession              | 08.07.2014<br>(Calculated from the date of agreement)<br>Note: Grace period is allowed being unqualified.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| 12. | Possession clause                   | <b>3(a) Possession</b><br>That subject to terms of this clause and subject to the apartment allottee having complied with all the terms and conditions of this agreement and not being in default under any of the provision of this agreement and further subject to compliance with all the provisions, formalities, registration of sale deed, documentation, payment of all amount due and payable to the developers by the apartment allottee(s) under this agreement, as prescribed by the Developer, the Developer proposes to hand over the possession of said apartment <b>within a period of thirty (36) months (excluding a grace period of 6 months) from the date of execution of this agreement.</b> It is |

CR/39/81/2021

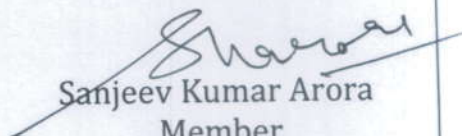
New PWD Rest House, Civil Lines, Gurugram, Haryana

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

|     |                                |                                                                                                                                                                                                                                                                                                                                                  |
|-----|--------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|     |                                | however understood between the parties that the possession of various Block/Towers comprised in the complex and also the various common facilities planned therein shall be ready and completed in phases wise and will be handed over to the allottees of different Blocks/Tower as and when the same will be completed and in a phased manner. |
| 13. | Total sale consideration       | Rs. 72,68,950/-<br>(as per payment schedule on page no. 62 of compliant)                                                                                                                                                                                                                                                                         |
| 14. | Amount paid by the complainant | Rs. 42,50,000/-<br>(as alleged by complainant)                                                                                                                                                                                                                                                                                                   |
| 15. | Completion certificate         | Not obtained                                                                                                                                                                                                                                                                                                                                     |
| 16. | Offer of possession            | Not offered                                                                                                                                                                                                                                                                                                                                      |

The counsel for the complainant states that although the complainant has filed a complaint for taking refund but still the complainant is ready to take the possession after paying the balance dues alongwith interest as per RERA norms. The complainant is accordingly advised to amend the relief in the complaint and submit a copy of the same to the counsel for the respondent.

Matter to come up on **29.09.2023** for further proceedings.

  
 Sanjeev Kumar Arora

Member

26.05.2023