

PROCEEDINGS OF THE DAY		84
Day and Date	Friday and 05.07.2024	
Complaint No.	CR/4030/2023 Case titled as Rakesh Gupta VS Parsvnath Developers Private Limited	
Complainant	Rakesh Gupta	
Represented through	Shri Gaurav Rawat Advocate	
Respondent	Parsvnath Developers Private Limited	
Respondent Represented	Shri Ashwarya Jain Advocate	
Last date of hearing	29.03.2024	
Proceeding Recorded by	Naresh Kumari and HR Mehta	

Proceedings

The present complaint has been received on 31.08.2023 and the reply was received on 09.11.2023.

Succinct facts of the case are as under:

S.N.	Particulars	Details
1.	Name of the project	Upcoming Future Project, Gurugram.
2.	Nature of project	Group Housing Colony
3.	RERA Registered	Not Registered
4.	Date of booking	05.09.2004 (As stated by the complainant at page 14 of complaint)
5.	Original Allottee	Bhupinder Singh
6.	1 st Subsequent allottee	The original allottee endorsed the unit in the name of complainant on 25.05.2006 herein being the 1 st subsequent allottee)
7.	Allotment letter	No documents placed on record



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**HARYANA REAL ESTATE REGULATORY AUTHORITY
GURUGRAM**

हरियाणा भू-संपदा विनियामक प्राधिकरण, गुरुग्राम
CR/4030/2023

New PWD Rest House, Civil Lines, Gurugram, Haryana

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

8.	Apartment no.	No documents placed on record
9.	Date of builder buyer agreement	No documents placed on record
10.	Possession clause	No documents placed on record
11.	Due date of possession	Cannot be ascertain
12.	Total sale consideration	No documents placed on record
13.	Paid up amount	Rs.7,50,000/- (As per receipts on page 21 of complaint)
14.	Occupation certificate	Not Obtained
15.	Offer of possession	Not Offered

The counsel for the complainant states that the complainant had paid amount for the upcoming future project vide receipt No.PC001237 and PC003408 in which no area, to be allotted is mentioned, no area/sector even the town is mentioned and further states that they are seeking refund of the amount paid by the complainant way back in 2004 based on the decision of RERA Panchkula in case of Vikas Bansal versus Parsvnath Developers Pvt. Ltd. in CR No.2910/2022 and order dated 03.05.2023

The counsel for the respondent states that the similar matter has already been dismissed by Real Estate Appellate Tribunal or NCLT Delhi and UT Chandigarh in Appeal No.67/REAT/2022 in case of the same promoter where the appeal has been dismissed and further brought to the attention of the authority the order of Real Estate Delhi in case of the same promoter in complaint No.05/01/2022, vide order dated 10.05.2022 where the Hon'ble RERA Delhi has dismissed the complaint. Further stated that while passing the final decision by the Authority, the cognizance must be taken on the above said decision.



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CA/4050/2023

New PWD Rest House, Civil Lines, Gurugram, Haryana

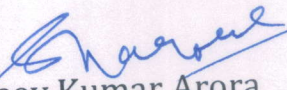
नया पी. डब्ल्यू. डी. विश्राम गृह, सिविल लाईंस, गुरुग्राम, हरियाणा

Arguments heard.

Order reserved.

Both the counsels for the parties may file written submissions, if they wish to do so, within a period of one week with an advance copy to each other.

Matter to come up on 26.07.2024 for pronouncement of order.


Sanjeev Kumar Arora
Member
05.07.2024