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PROCEEDINGS OF THE DAY

Day and Date	Wednesday and 26.02.2020
Complaint No.	CR/404/2019 Case titled as Seema Walia Do Dharamvir Walia V/S Supertech Limited
Complainant	Seema Walia Do Dharamvir Walia
Represented through	Mr D R Janghu, Adv
Respondent	Supertech Limited
Respondent Represented through	Mr. Rishabh Gupta, Advocate with Mrs Pushpa Dabas, AR
Last date of hearing	
Proceeding Recorded by	S L Chanana

Proceedings

The complaint has been received on transfer from the learned Authority.

2. This complaint relates to refund of the amount deposited with the respondent besides other charges.
3. Though the complaint has been filed in form CRA but in view of transfer of the same from the learned Authority, it is ordered to be treated to have been filed in form CAO before this forum. Both the parties through their counsel did not object to the same. So, it is ordered accordingly.
4. Reply, if any, be filed on or before 01.04.2020 with an advance copy to the other side and otherwise the same would not be taken on record.
5. Let the matter be put up for arguments on 15.04.2020.



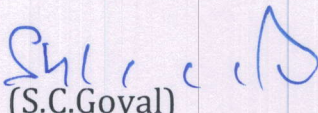
HARERA
GURUGRAM

HARYANA REAL ESTATE REGULATORY AUTHORITY
GURUGRAM

New PWD Rest House, Civil Lines, Gurugram, Haryana

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

6. It is pleaded on behalf of the complainant that the booking of the unit was done by the respondent under the subvention scheme and payment of more than 80% against that unit has been paid by taking a loan from the financial institution(s). Though the respondent/builder promised to pay the pre-EMI of the loan taken from the financial institution(s) but has committed default. So, due to that huge financial burden has been put on the complainant by way of paying monthly installments of the loan amount besides paying rent in some cases of the leased accommodation. Moreover, the due date of delivery of possession has also expired. So, in such a situation, the respondent be directed to at least pay the pre-EMIs of the loan amount taken against the allotted unit by the complainant to the financial institution(s). The submissions made in this regard on behalf of the complainant are not disputed. The only plea taken on behalf of the respondent is that its primary task is to complete the project and to hand over the possession of the allotted unit to the respective allottees. Now doubt, it was an obligation of the respondent to pay the amount of pre-EMIs due to the financial institution(s) but due to crunch of funds, the same could not be paid and the money raised from various financial institutions is being used to complete the project so that delivery of the respective unit be given to the allottees. Respondent also wants to file certain documents to prove its pleas in this regard. It is allowed time by Friday and the matter be reserved for orders 03.03.2020.


(S.C.Goyal)
Adjudicating Officer,
26.02.2020