



**HARERA**  
GURUGRAM

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

हरियाणा भू-संपदा विनियामक प्राधिकरण, गुरुग्राम

New PWD Rest House, Civil Lines, Gurugram, Haryana

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

<b>PROCEEDINGS OF THE DAY</b>		<b>64</b>
Day and Date	Thursday and 16.05.2024	
Complaint No.	CR/4055/2023 Case titled as Nitin Uppal and Neeru Uppal V/S SHF Square Llp	
Complainant	Nitin Uppal and Neeru Uppal	
Represented through	Shri Tilak Raj Arora, Advocate	
Respondent	SHF Square Llp	
Respondent Represented	Shri Garvit Gupta, Advocate	
Last date of hearing	18.04.2024	
Proceeding Recorded by	Naresh Kumari and HR Mehta	

### **Proceedings**

The present complaint has been received on 12.09.2023.

The complainants have sought following relief(s):

- Declare the cancellation as illegal, capricious, void ab-initio, not sustainable in the eye of law and not binding upon the complainants.
- Direct the respondent to withdraw the said impugned order of cancellation.
- Direct the respondent that in case of any increase in the registration charges, for the delay in registration of the sale deed of the allotted unit in favor of the complainants, any such increase to be borne by the respondent.
- Direct the respondent to pay delayed possession charges to the complainants.
- Direct the respondent to compensate the complainants suitably to the tune of Rs.10,00,000/- for the agony, suffering and litigation expenses.

The respondent has filed an application for dismissal of complaint on 15.12.2023 and reply to the dismissal of complaint was received on 02.02.2024 from the complainant.



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During proceedings, the counsel for the respondent states that the present dispute pertains to adjudication of the correctness/validity of the following documents which require in depth trail of the case but not limited to tendering evidences and cross-examinations of the complainant and the respondents: -

- i) Newspaper advertisement dated 17.4.2022 issued by the respondent showing the price of Rs. 29,000/- per sq.yards.
- ii) E-broucher and payment plans shared by the respondent with the complainant in form of the Whatsapp conversations.
- iii) Telephonic Audio Conversation and Transcripts of the same between the Channel Partner Mr. Mange Ram and the Complainants.
- iv) E-mails of the respondents seeking payment of the due amount calculated at the rate of Rs.29000/- per sq. yard.
- v) Whatsapp Chat dated 04.08.022.
- vi) Similar BBAs executed by the respondent with other allottees where the same have been executed at the rate of Rs.29,000/- per sq. yards.
- vii) Statement of witnesses made before Inquiry Officer, EOW, Gurugram.
- viii) Several e-mails and communications exchanged between the complainants and the respondent.

Furthermore, the counsel for the respondent argued that the Authority is not the appropriate forum to adjudicate the validity of the documents in dispute and the respondent has already filed a civil suit to examine the documents related to the subject unit. In response, the counsel for the complainant countered that there is no dispute regarding the subject unit and documents as all the relevant documents have been duly executed and stamped by the respondent, and thus, the Authority can proceed with the case by means of its summary procedure.

In view of the submissions made above, the case is adjourned before FULL BENCH on 02.07.2024 for further proceedings.

V.1-5  
Vijay Kumar Goyal  
Member  
16.05.2024