



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

PROCEEDINGS OF THE DAY

14

Day and Date	Friday and 25.07.2025
Complaint No.	CR/4157/2023 Case titled as Vijay Kumar Yadav VS Perfect Buildwell Private Limited
Complainant	Vijay Kumar Yadav
Represented through	Shri Saurabh Sachdeva Advocate
Respondent	Perfect Buildwell Private Limited
Respondent Represented	Ms. Sapna Yadav proxy counsel
Last date of hearing	28.03.2025
Proceeding Recorded by	Naresh Kumari and HR Mehta

Proceedings

The present complaint was filed on 14.09.2023 and the reply on the behalf of respondent was filed on 15.12.2023.

S.N.	Particulars	Details
1.	Name of the project	Zara Aavaas, Sector 104, Gurugram.
2.	Nature of project	Affordable Group Housing Colony
3.	DTCP License no.	12 of 2014 from 10.06.2014 upto 09.02.2019
4.	Name of licensee	Perfect Buildwell Private Limited
5.	RERA Registered	152 of 2017 dated 28.08.2017
6.	Allotment letter	19.10.2015 (page 26 of complaint)
7.	Apartment no.	05, 3 rd tower, 12 th floor (page 32 of complaint)
8.	Area admeasuring	524 sq. ft. (carpet Area) 89 sq. ft. (balcony area) (page 32 of complaint)
9.	Date of builder buyer agreement	01.12.2015 (page 30 of complaint)



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10.	Date of building plan approval	08.12.2014 Taken from another file of the same project
11.	Date of environmental clearance	09.03.2015 (page 15 of reply)
12.	Possession clause	3. Possession 3(1) Unless a longer period is permitted by the DGTCP or in the policy and subject to the force majeure circumstances as stated in clause 16 hereof, intervention of statutory authorities, receipt of occupation certificate and timely compliance by the Apartment Buyer(s) of all his/her/their obligations, formalities and documentation as prescribed by the Developer from time to time and not being in default under any part of this Agreement, including but not limited to timely payment of installments of the total cost and other charges as per the payment plan, stamp duty and registration charges, the Developer proposes to offer possession of the Said Apartment to the Apartment Buyer(s) within 4(four) years from the date of approval of building plans or grant of environment clearance, whichever is later. (Emphasis supplied)
13.	Due date of possession	09.03.2019 (Calculated from the date of environment clearance being later)
14.	Total sale consideration	Rs.21,43,000/- (as per Clause 2.1 of BBA on page 34 of complaint)
15.	Paid up amount	Rs.21,89,262/- (as stated by the complainant at page 9 of the complaint)
16.	Occupation certificate	04.12.2019



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		(page 26 of reply)
17.	Offer of possession	20.06.2020 (page 29 of reply)
18.	Conveyance deed	09.09.2022 (as alleged by respondent in additional documents filed by respondent)

The complainant has sought following relief:

1. Direct the respondent to pay interest for every month of delay at prescribed rate for delay period starting from 09.03.2019 till 29.08.2020.
2. Direct the respondent to restrain them for charging amount in the form of maintenance charges and deducting maintenance charges from pre-paid electricity meter of the complainant

Both the parties during previous proceedings were given liberty to file brief written statement. The respondent has filed written submissions on 17.07.2025 challenging the complaint on the ground of limitation as the same has been filed after about 4 years of offer of possession and states that there has been no delay attributable to the respondent in the execution of the project. OC has been received on 04.12.2019 and the complainant received possession on 05.08.2020 and CD executed on 09.09.2022. The complaint is barred by limitation and hence no relief can be granted.

The counsel for the complainant has not yet filed brief written submissions, although states that the case is covered and Authority has passed orders in similar cases of the above project and shall be filing the brief written submissions along with citation within next 10 days with an advance copy to the respondent.

Matter to come up on 22.08.2025 for pronouncement of orders.


Vijay Kumar Goyal
Member
25.07.2025