



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		39
Day and Date	Friday and 30.05.2025	
Complaint No.	CR/4297/2023 Case titled as Malika Chaudhry VS KIWI Land and Housing Private Limited	
Complainant	Malika Chaudhry	
Represented through	Shri Vinayak Gupta Advocate	
Respondent	KIWI Land and Housing Private Limited	
Respondent Represented	Shri Prashant Sheoran Advocate	
Last date of hearing	24.04.2025	
Proceeding Recorded by	Naresh Kumari and HR Mehta	

Proceedings

The present complaint has been received on 22.09.2023 and registered as complaint no. 4297 of 2023 and reply was received on 28.03.2024.

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

S. No.	Particulars	Details
1.	Name and location of the project	"Rama Homes", Sector-89, Gurugram-Manesar Urban Complex, Gurugram
2.	Nature of the project	Affordable Group Housing
3.	Project area	5.1265 acres
4.	DTCP license no.	49 of 2021 dated 12.08.2021 valid up to 11.08.2026
5.	Name of licensee	Kiwi Land and Housing Pvt. Ltd.
6.	RERA Registered/ not registered	17 of 2022 dated 21.02.2022 valid up to 11.08.2026
7.	Unit no.	T1-005, ground floor & Tower-1 (As per page no. 29 of the complaint)
8.	Unit area admeasuring	644.66 sq. ft.(Carpet Area) and 129.92 (Balcony area) (As per page no. 29 of the complaint)

An Authority constituted under section 20 the Real Estate (Regulation and Development) Act, 2016

भू-संपदा (विनियमन और विकास) अधिनियम, 2016 की धारा 20 के अंतर्गत गठित प्राधिकरण



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हरियाणा भू-संपदा विनियामक प्राधिकरण, गुरुग्राम 2023

New PWD Rest House, Civil Lines, Gurugram, Haryana

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

9.	Date of approval of building plans	30.12.2021 (As per page no. 29 of the complaint)
10.	Date of Environment Clearance	07.01.2022 (As per page no. 29 of the complaint)
11.	Allotment letter	27.01.2023 (As per page no. 28 of the complaint)
12.	Possession clause	N.A
13.	Due date of possession	11.08.2026 (As per RERA registration and page no. 28 of the complaint)
14.	Payment plan	Construction linked payment plan
15.	Total sale consideration	Rs.28,07,572/- (As per page no. 30 of the complaint)
16.	Amount paid by the complainant (To be confirmed)	Rs.8,40,000/- (As per SOA dated 14.08.2023 on page no. 36 of the complaint) Rs.10,63,372/- (As alleged by the complainant on page no. 17 of the complaint)
17.	Occupation Certificate	Not obtained
18.	Offer of possession	Not offered
19.	Demand letter	02.03.2023 (As per page no. 34 of the complaint)
20.	Reminder letters	29.04.2023, 17.05.2023, 11.07.2023 & 25.07.2023 (As per page no. 38, 39, 40 & 41 of the complaint)
21.	Publication in various newspapers for payment of outstanding dues	05.08.2023 (As per page no. 13 & 14 of the reply)
22.	Intimation letter of cancellation	21.08.2023 (As per page no. 47 of the complaint)
23.	Email for reconsideration of cancellation and to reinstate the allotment	23.08.2023 (As per page no. 49 of the complaint)

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CA/4297/2023

New PWD Rest House, Civil Lines, Gurugram, Haryana

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

Arguments heard.

The counsel for the complainant states that 3 (three) payments were made prior to the cancellation amounting to Rs.8,40,000/- and one payment was made on the date of cancellation i.e., Rs.2,23,372/-.

Cancellation is valid. The respondent is directed to refund the paid-up amount of Rs.9,85,945/- to the complainant after deduction of Rs.25,000/- as per the provisions of clause 5 (iii)(i) of the Affordable Housing Policy, 2013 along with interest at the prescribed rate i.e., 11.10% per annum as prescribed under rule 15 of the Rules, 2017, on such balance amount from the date of cancellation i.e., 18.05.2020 till its actual realization.

A period of 90 days is given to the respondent to comply with the directions given in this order and failing which legal consequence would follow.

Matter stands disposed off. Detailed order will follow.

V.1 3
Vijay Kumar Goyal
Member
30.05.2025