



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		13
Day and Date	Monday and 07.04.2025	
Complaint No.	CR/431/2022 Case titled as Sudesh Kumar VS Supertech Limited and Another	
Complainant	Sudesh Kumar	
Represented through	Shri Harshit Batra Advocate	
Respondent	Supertech Limited and Another	
Respondent Represented through	Shri Bhrigu Dhami Advocate on behalf of M/s Supertech Limited – R1 Ms Isha Dang, AR on behalf of Respondent no.2 Shri Gaurav Dua Adv. for Indiabulls	
Last date of hearing	11.03.2025	
Proceeding Recorded by	Naresh Kumari and HR Mehta	

Proceedings

The present complaint has been received on 21.02.2022.

No reply on behalf of the respondent has been received till date. Therefore, the defence of the respondent is hereby struck off.

The Application for impleadment of necessary party has been filed by the complainant and the same was allowed on 10.12.2024.

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

S.No.	Particulars	Details
1.	Name of the project	Supertech Hues, Sector-68, Gurugram-122101
2.	Project area	55.5294 acres
3.	Nature of project	Group Housing Colony
4.	RERA registered/not registered	Registered vide registration no. 182 of 2017 dated 04.09.2017



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CR/931/2022

New PWD Rest House, Civil Lines, Gurugram, Haryana

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

	Validity Status	31.12.2021
5.	DTPC License no.	106 & 107 of 2013 dated 26.10.2013
	Validity status	25.12.2017
	Name of licensee	Sarv Realtors Pvt. Ltd & Ors.
6.	Unit no.	F 1503
7.	Unit tentatively measuring	1180 sq. ft. super area
8.	Date of Booking	20.06.2016
9.	BBA	15.07.2016
10	Possession clause as per buyer developer agreement	The possession of the allotted unit shall be given to the allottee /s by the company by July 2018. However, this period can be extended for a further grace period of 6 months
11	Due date of possession	July 2018 + 6 months = January 2019
12	Basic sale consideration	Rs.87,03,000/-
13	Total amount paid by the complainant	Rs. 9,00,000/- paid by the complainant. Rs. 71,00,000/- paid by the bank
14	Occupation certificate	Not obtained
15	Offer of possession	Not offered
16	Mou	15.07.2016
17	Tripartite agreement	27.07.2016
18	Request for cancellation	05.12.2017

Shri Gaurav Dua Advocate has appeared on behalf of Indiabulls and states that there is outstanding loan amount as on date against the above unit and if refund is to be made, the respondent should be directed to first clear the outstanding loan amount alongwith interest.

Arguments heard.

The respondent/promoter No.2 - Sarv Realtors Private Limited is directed to refund the amount received by it from the complainants after deduction of 10% of the sale consideration along with interest at the rate of 11.10% p.a. as prescribed under rule 15 of the Haryana Real Estate (Regulation and



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CR/431/2022

New PWD Rest House, Civil Lines, Gurugram, Haryana

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

Development) Rules, 2017 from the date of each payment till the actual date of refund of the deposited amount. Out of refundable amount, the loan amount with interest be cleared first and only the remaining amount is to be disbursed to the complainant allottee alongwith no dues certificate of the financial institution.

Detailed order will follow. Matter stands disposed off.

Ashok Sangwan
Member

Arun Kumar
Chairman
07.04.2025

Vijay Kumar Goyal
Member